

THE NATIONAL ARCHIVES
LITTERA
SCRIPTA
MANET
1934
OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 9 NUMBER 259

Washington, Friday, December 29, 1944

The President

EXECUTIVE ORDER 9508

AUTHORIZING THE SECRETARY OF WAR TO TAKE POSSESSION OF AND TO OPERATE CERTAIN PLANTS AND FACILITIES OF MONTGOMERY WARD & CO., INCORPORATED

WHEREAS the National War Labor Board has found and reported to me that labor disturbances involving nearly 12,000 workers now exist in the plants and facilities of Montgomery Ward & Co., Incorporated, in Jamaica, New York; Detroit, Michigan; Chicago, Illinois; St. Paul, Minnesota; Denver, Colorado; San Rafael, California; and Portland, Oregon; that in the exercise of the authority conferred upon it by the War Labor Disputes Act, the National War Labor Board has issued directive orders deciding the labor disputes that gave rise to the said disturbances; that the said directive orders provide terms and conditions, of a kind customarily included in collective bargaining agreements, to govern the relations between the parties to such disputes; that the terms and conditions provided for by the said directive orders are fair and equitable to employer and employee under all the circumstances of the cases; that Montgomery Ward & Co., Incorporated, has refused to put into effect the terms and conditions contained in these directive orders; that as a result of the refusal of Montgomery Ward & Co., Incorporated, to put into effect the terms and conditions contained in the directive orders issued by the National War Labor Board in the dispute in the plants and facilities of Montgomery Ward & Co., Incorporated, in Detroit, Michigan, a serious strike involving approximately 1,800 employees is now in progress in that city; that there is a present danger that the strike now existing in the plants and facilities of Montgomery Ward & Co., Incorporated, in Detroit, Michigan, will spread to plants and facilities of Montgomery Ward & Co., Incorporated, located in other cities and will adversely affect the operation of other plants and facilities, located in the Detroit area and elsewhere, that are en-

gaged in the production of materials used in the prosecution of the war; and

WHEREAS the National War Labor Board has also found and reported to me that Montgomery Ward & Co., Incorporated, employs approximately 70,000 workers, and serves approximately 30 million customers; that an interruption of the Company's activities would unduly delay and impede the war effort; that the preservation of the war-time structure of labor relations and the prevention of interruptions of war production depend upon the peaceful settlement of labor disputes by the National War Labor Board in the manner provided for by the Congress; that the preservation of the national stabilization program requires peaceful settlement of wage disputes during the war by the procedure provided for by the Congress; that the persistent refusal of Montgomery Ward & Co., Incorporated, to put into effect the terms and conditions contained in directive orders issued by the National War Labor Board, pursuant to the War Labor Disputes Act, threatens to destroy both the war-time structure of labor relations and the procedure established by the Congress for the peaceful settlement of wage disputes during the war, and unduly impedes and delays the war effort; and

WHEREAS after investigation I find and proclaim that the plants and facilities of Montgomery Ward & Co., Incorporated, located in Jamaica, New York; Detroit, Dearborn and Royal Oak, Michigan; Chicago, Illinois; St. Paul, Minnesota; Denver, Colorado; San Rafael, California; and Portland, Oregon, are plants and facilities that are equipped for the production of articles or materials which may be required for the war effort or which may be useful in connection therewith, within the meaning of the War Labor Disputes Act; that Montgomery Ward & Co., Incorporated, is engaged in the distribution of articles and materials that are essential to the maintenance of the war economy; that as a result of labor disturbances there are existing and threatened interruptions of the operations of the said plants and facilities of Montgomery Ward & Co., In-

(Continued on next page)

CONTENTS

THE PRESIDENT

EXECUTIVE ORDER:	Page
Montgomery Ward and Co., Inc.; authorizing Secretary of War to take possession and operate certain plants and facilities of.....	15079

REGULATIONS AND NOTICES

FAIR EMPLOYMENT PRACTICE COMMITTEE:	
Rules of practice and procedure; procedural rules for hearings.....	15082

FARM CREDIT ADMINISTRATION:	
Functions of administrative officers; authority, and designation of order of precedence of Deputy Land Bank Commissioners, et al.....	15081

INTERIOR DEPARTMENT:	
Seattle, Wash.; change in designation of office.....	15103

OFFICE OF PRICE ADMINISTRATION:	
Adjustments:	
Arango, Jose, & Co.....	15111
Arnold & Gipe Cigar Co.....	15112
Associated Cigar Co.....	15127
Bair, C. E., & Sons.....	15111
Baldwin Cigar Co.....	15126
Cincinnati Cigar Co.....	15114
Commercial Cigar Co.....	15121
Dill, Chas. A.....	15124
Dixie Cigar Co.....	15125
Divco Corp.....	15129
Fake, Edward M.....	15117
Fillmore, C. A.....	15119
Fillmore, Clead.....	15116
Ford Motor Co. (2 documents).....	15128, 15123
Geesey, Paul R.....	15112
Gradiaz, Annis, and Co., Inc.....	15116
Graham & Summers.....	15115
International Harvester Co.....	15123
K & K Cigar Co.....	15118
Keller, V. C.....	15113
LaMotte, Ben T.....	15120
McCleary, Mabel E.....	15119
Mack Mfg. Corp.....	15129
Mark Cigar Co.....	15117
Mt Flora Cigar Co.....	15122
Miller, Curvin E., & Co.....	15111
New Florence Coal Co., et al.....	15123

(Continued on next page)



Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington, D. C.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per unit. The following are now available:

- Book 1: Titles 1-3 (Presidential documents) with tables and index.
- Book 2: Titles 4-9, with index.
- Book 3: Titles 10-17, with index.
- Book 4: Titles 18-25, with index.
- Book 5, Part 1: Title 26, Parts 2-178.
- Book 5, Part 2: Title 26, completed; Title 27; with index.
- Book 6: Titles 28-32, with index.
- Book 7: Titles 33-45, with index.
- Book 8: Title 46, with index.
- Book 9: Titles 47-50, with index.

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued.	
Adjustments—Continued.	Page
Providence Cigar Co.....	15113
Quality Cigar Co.....	15118
Reichard, H. L.....	15120
Roseman, Paul, Cigar Co.....	15126
Royal Quaker Cigar Co.....	15113
Shoff, Raymond C.....	15113
Smeltzer, H. F.....	15122
Smith, Elmer.....	15127
Smith, Floyd L. (2 documents).....	15121, 15123
Smith, Leon C.....	15123
Smith, Roy R., Cigar Co.....	15114
Smith, Thomas C.....	15116
Snell, Andrew A.....	15121

CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued.	
Adjustments—Continued.	Page
Star Thompson Tobacco Co.....	15124
Stew-Clair Cigar Co.....	15123
Stiffler, William S.....	15126
Tint, Harry A. (Corr.).....	15130
Veroma Cigar Co.....	15125
York County Cigar Co.....	15115
Fruits and vegetables, fresh (MPR 426, Am. 76, 77) (2 documents).....	15107
Ice cream and mix (MPR 280, Am. 53).....	15107
Malt beverages (RMPR 259, Am. 2).....	15107
Milk and products (SR 14A, Am. 21).....	15103
Poultry (2d Rev. MPR 269).....	15095
Regional and district office orders:	
Fruits and vegetables, fresh; Peoria, Ill., district.....	15131
Milk, fluid, Atlanta region.....	15131
Poultry, New York region.....	15130
Solid fuels:	
Bridgeport, Conn., area.....	15130
Elgin, Ill., area.....	15132
Housing of; Allegheny County, Pa.....	15130
New London, Conn., area.....	15130
Snowshoes, Army emergency; Denver region.....	15133
Soaps, bar or package, or cleaners (Commodity Practices Reg. 1, Rev.).....	15106
Tobacco, fire and dark air cured; notice to growers (Admin. Notice 11).....	15130
PETROLEUM ADMINISTRATION FOR WAR:	
Premium motor fuel, limitation on manufacture.....	15108
PUBLIC CONTRACTS DIVISION:	
Fruits and vegetables, certain canned and dehydrated, contracts for; exception from provisions of Walsh-Healey Public Contracts Act.....	15108
SECURITIES AND EXCHANGE COMMISSION:	
Hearings, etc.:	
Consolidated Electric and Gas Co., et al.....	15109
Elastic Stop Nut Corp. of America.....	15109
Federal Water and Gas Corp., et al.....	15110
SOLID FUELS ADMINISTRATION FOR WAR:	
Pennsylvania anthracite, production and distribution.....	15083
VETERANS' ADMINISTRATION:	
Loans, guaranty of home; regulations under Servicemen's Readjustment Act of 1944 (Corr.).....	15108
WAGE AND HOUR DIVISION:	
Puerto Rico, minimum wage rate in sugar manufacturing industry.....	15082
WAR DEPARTMENT:	
St. Joseph Peninsula, Fla., area; danger zone regulations.....	15108
WAR FOOD ADMINISTRATION:	
Peaches, fresh, grown in Georgia; handling.....	15081

CONTENTS—Continued

WAR PRODUCTION BOARD:	
Consent order; James H. Lasher.....	Page
Priorities system operation; compliance with WMO regulations (Priorities Reg. 26, Corr.).....	15134
Strategic materials, imports (M-63).....	15095
	15091

incorporated; that the war effort will be unduly impeded or delayed by these interruptions; that the operation of other plants and facilities essential to the war effort is threatened by the labor disturbances at the plants and facilities of Montgomery Ward & Co., Incorporated; and that the exercise as hereinafter specified of the powers and authority vested in me is necessary to insure, in the interest of the war effort, the operation of these plants and facilities, and of other plants and facilities that are threatened to be affected by the said labor disturbances; and

WHEREAS, after investigation I also find and proclaim that these existing and threatened interruptions result from the failure of Montgomery Ward & Co., Incorporated, to adjust labor disputes of long standing with respect to the terms and conditions of employment at the Company's plants and facilities; that the National War Labor Board has considered these disputes and issued directive orders determining and providing methods for their adjustment; that the labor unions involved have expressed their willingness to adjust the disputes in accordance with the directive orders of the National War Labor Board, but Montgomery Ward & Co., Incorporated, has persistently refused to accept the provisions of the directive orders as a basis for the adjustment of such disputes; and that this refusal unduly impedes and delays the successful prosecution of the war;

NOW, THEREFORE, by virtue of the power and authority vested in me by the Constitution and laws of the United States, including the War Labor Disputes Act (57 Stat. 163) and section 9 of the Selective Training and Service Act of 1940 (54 Stat. 892) as amended by the War Labor Disputes Act, as President of the United States and Commander in Chief of the Army and Navy of the United States, it is hereby ordered as follows:

1. The Secretary of War is hereby authorized and directed, through and with the aid of any persons or instrumentalities that he may designate, to take possession of the plants and facilities of Montgomery Ward & Co., Incorporated, that are located in Jamaica, New York; Detroit, Dearborn and Royal Oak, Michigan; Chicago, Illinois; St. Paul, Minnesota; Denver, Colorado; San Rafael, California; and Portland, Oregon, and any real or personal property or other assets used or useful in connection with the operation of such plants and facilities, and to operate or to arrange for the operation of such plants and facilities in any manner that he deems essential for the successful prosecution of the

war. The Secretary of War is also authorized to exercise any contractual or other rights of Montgomery Ward & Co., Incorporated; to continue the employment of, or to employ, any persons; to do any other thing that he may deem necessary for the operation of the said plants and facilities, including the production, sale, and distribution of the articles and materials customarily produced in or sold or distributed from the said plants and facilities; and to take any other steps that he deems necessary to carry out the provisions and purposes of this order.

2. The Secretary of War shall operate the said plants and facilities under the terms and conditions of employment that are in effect at the time possession of the said plants and facilities is taken, and during his operation of the plants and facilities shall observe the terms and conditions of the directive orders of the National War Labor Board, including those dated June 6 and 16, 1944, and December 14 and 15, 1944, provided that the Secretary of War is authorized to pay the wage increases specified in said directive orders, from the effective dates specified in said directive orders to the date possession of said plants and facilities is taken under this order, only out of the net operating income of said plants and facilities during the period of their operation by the Secretary of War. In the event that it appears to the Secretary of War that the net operating income of said plants and facilities will be insufficient to pay the aforesaid accrued wage increases, the Secretary shall make a report to the President with respect thereto.

3. All federal agencies, including, but not limited to, the War Manpower Commission, the National Selective Service, the Department of Justice, and the Reconstruction Finance Corporation, are directed to cooperate with the Secretary of War to the fullest extent possible in carrying out the purposes of this order. The Secretary of War may request other federal agencies, including those mentioned above, to assign personnel to assist him in the performance of his duties hereunder.

4. Possession, control, and operation of any plant or facility, taken under this order shall be terminated by the Secretary of War within sixty days after he determines that the productive efficiency of the plant or facility prevailing prior to the existing and threatened interruptions of operations, referred to in the recitals of this order, has been restored.

5. The words "plants and facilities of Montgomery Ward & Co., Incorporated", whenever used in this order, shall be deemed to include, without limitation, any mail order house, warehouse, office, retail store, factory, or production or assembly unit, owned or operated by Montgomery Ward & Co., Incorporated, in the areas specified in this order.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
December 27, 1944.

[F. R. Doc. 44-19682; Filed, Dec. 28, 1944;
11:19 a. m.]

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

[FCA No. 414]

PART 2—FUNCTIONS OF ADMINISTRATIVE OFFICERS

DELEGATIONS OF AUTHORITY

Sections 3.6 and 3.6-50 (6 CFR, Cum. Supp. 3.6, 3.6-50) are hereby further amended to read as follows:

§ 3.6 *Authority, and designation of order of precedence of Deputy Land Bank Commissioners and Assistant Deputy Land Bank Commissioners and Acting Chief, Appraisal Subdivision, to act as Land Bank Commissioner in the absence of the latter.* J. R. Isleib, Deputy Land Bank Commissioner, is authorized and empowered to execute and perform any and all functions, powers, authority, and duties which the Land Bank Commissioner is authorized and empowered to execute or perform in the event the Land Bank Commissioner is absent or unable to serve for any reason.

John A. Smith, Deputy Land Bank Commissioner, is authorized and empowered to execute and perform any and all functions, powers, authority, and duties which the Land Bank Commissioner is authorized and empowered to execute or perform in the event the Land Bank Commissioner and Deputy Land Bank Commissioner Isleib are absent or unable to serve for any reason.

Carl Colvin, Assistant Deputy Land Bank Commissioner, is authorized and empowered to execute and perform any and all functions, powers, authority, and duties which the Land Bank Commissioner is authorized and empowered to execute or perform in the event the Land Bank Commissioner and Deputy Land Bank Commissioners Isleib and Smith are absent or unable to serve for any reason.

M. E. Menk, Assistant Deputy Land Bank Commissioner, is authorized and empowered to execute and perform any and all functions, powers, authority, and duties which the Land Bank Commissioner is authorized and empowered to execute or perform in the event the Land Bank Commissioner and Deputy Land Bank Commissioners Isleib and Smith, and Assistant Deputy Land Bank Commissioner Colvin are absent or unable to serve for any reason.

H. N. Thomas, Acting Chief, Appraisal Subdivision, is authorized and empowered to execute and perform any and all functions, powers, authority, and duties which the Land Bank Commissioner is authorized and empowered to execute or perform in the event the Land Bank Commissioner, Deputy Land Bank Commissioners Isleib and Smith and Assistant Deputy Land Bank Commissioners Colvin and Menk are absent or unable to serve for any reason.

(E.O. 6084, Mar. 27, 1933, 6 CFR 1.1 (m); Memorandum No. 846, Sec. of Agric., Jan.

6, 1940; secs. 39, 40, 43 Stat. 50, 51; 12 U.S.C. 637, 636)

§ 3.6-50 *Authority of Assistant Deputy Commissioners and Acting Chief, Appraisal Subdivision, to act as Deputy Land Bank Commissioner when all such Deputies are absent or unable to act.* Carl Colvin and M. E. Menk, Assistant Deputy Land Bank Commissioners, and H. N. Thomas, Acting Chief, Appraisal Subdivision, severally and not jointly and in the order named, are authorized to execute and perform any and all functions, powers, authority, and duties which any Deputy Land Bank Commissioner is now or hereafter authorized and empowered to execute or perform in the event that all Deputy Land Bank Commissioners are absent or unable to act for any reason.

(E.O. 6084, Mar. 27, 1933, 6 CFR 1.1 (12); secs. 39, 40, 43 Stat. 50, 51; 12 U.S.C. 637, 636)

[SEAL]

I. W. DUGGAN,
Governor.

DECEMBER 18, 1944.

[F. R. Doc. 44-19315; Filed, Dec. 27, 1944;
3:15 p. m.]

TITLE 7—AGRICULTURE

Chapter IX—War Food Administration (Marketing Agreements and Orders)

PART 962—FRESH PEACHES GROWN IN THE STATE OF GEORGIA

TERMINATION OF SUSPENSION ORDER REGULATING HANDLING

Pursuant to the provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), the order regulating the handling of fresh peaches grown in the State of Georgia, effective pursuant to said act, was suspended (9 F.R. 6201), effective at 12:01 a. m., e. w. t., June 9, 1944. It is hereby found and determined that the aforesaid suspension should be terminated.

It is, therefore, ordered, That the aforesaid suspension be, and the same hereby is, terminated at 12:01 a. m., e. w. t., January 1, 1945, and thereafter the handling of fresh peaches grown in the State of Georgia shall be in compliance with the terms and conditions of the aforesaid order regulating the handling of peaches grown in the State of Georgia.

(48 Stat. 31, 670, 675; 43 Stat. 750; 50 Stat. 246; 52 Stat. 215; 53 Stat. 722; 7 U.S.C. 601 et seq.)

Issued at Washington, D. C., this 26th day of December 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-18614; Filed, Dec. 27, 1944;
3:15 p. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division

PART 658—MINIMUM WAGE RATE IN THE SUGAR MANUFACTURING INDUSTRY IN PUERTO RICO

RECOMMENDATION OF INDUSTRY COMMITTEE NO. 3

Whereas on February 11, 1944, pursuant to section 5 (e) of the Fair Labor Standards Act of 1938, hereinafter referred to as the Act, the Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 227, appointed Special Industry Committee No. 3 for Puerto Rico, hereinafter referred to as the Committee, and directed the Committee to proceed to investigate conditions and to recommend to the Administrator minimum wage rates for employees in the various industries in Puerto Rico in accordance with the provisions of the act and rules and regulations promulgated thereunder; and

Whereas the Committee included three disinterested persons representing the public, a like number representing employers in the Sugar Manufacturing Industry in Puerto Rico, and a like number representing employees in the industry, and was composed of residents of Puerto Rico and residents of the United States outside of Puerto Rico; and

Whereas on May 30, 1944, the Committee, after investigating economic and competitive conditions in the Sugar Manufacturing Industry, filed with the Administrator a report containing its definition of the Sugar Manufacturing Industry and its recommendation for a 35-cent minimum hourly wage rate in the Sugar Manufacturing Industry; and

Whereas pursuant to notice published in the FEDERAL REGISTER on July 12, 1944, a public hearing on the Committee's recommendation was held in New York, New York, on September 12, 1944 before Donald M. Murtha, the Presiding Officer designated by the Administrator, at which all interested persons were given an opportunity to be heard; and

Whereas the complete record of the proceeding before the Presiding Officer has been transmitted to the Administrator; and

Whereas by due notice, permission was given to file briefs on or before September 29, 1944; and

Whereas the Administrator, upon reviewing all the evidence adduced in this proceeding and after giving consideration to the provisions of the act with special reference to sections 5 and 8, has concluded that the recommendation of the Committee for a minimum wage rate in the Sugar Manufacturing Industry, as defined, is made in accordance with law, is supported by the evidence adduced at the hearing, and, taking into consideration the same factors as are required to be considered by the Committee, will carry out the purposes of sections 5 and 8 of the act; and

Whereas the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Admin-

istrator in the Matter of the Recommendation of Special Industry Committee No. 3 for Puerto Rico for a Minimum Wage Rate in the Sugar Manufacturing Industry in Puerto Rico," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York 19, New York; now, therefore, *It is ordered, That:*

- Sec.
658.1 Approval of recommendations of industry committee.
658.2 Wage rate.
658.3 Posting of notices.
658.4 Definition of Sugar Manufacturing Industry.

AUTHORITY: §§ 658.1 to 658.4, inclusive, issued under sec. 8, 52 Stat. 1064, 29 U.S.C. sec. 208.

§ 658.1 *Approval of recommendations of industry committee.* The Committee's recommendations for the Sugar Manufacturing Industry in Puerto Rico are hereby approved.

§ 658.2 *Wage rate.* Wages at a rate of not less than 35 cents an hour shall be paid under section 6 of the act by every employer to each of his employees in the Sugar Manufacturing Industry in Puerto Rico who is engaged in commerce or in the production of goods for commerce; and

§ 658.3 *Posting of notices.* Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the Sugar Manufacturing Industry in Puerto Rico shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor; and

§ 658.4 *Definition of the sugar manufacturing industry.* The sugar manufacturing industry in Puerto Rico to which this order shall apply is hereby defined as follows:

The production of raw sugar, cane juice, molasses and refined sugar, and incidental by-products: *Provided,* That the industry shall not include transportation by common carriers or any activity which is exempt under section 13 (a) of the Fair Labor Standards Act of 1938.

Effective date. This wage order shall become effective January 15, 1945.

Signed at New York, New York, this 21st day of December 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-19617; Filed, Dec. 27, 1944; 4:24 p. m.]

Chapter X—Committee on Fair Employment Practice

PART 1203—RULES OF PRACTICE AND PROCEDURE

Pursuant to the authority vested in the Committee on Fair Employment Practice by Executive Order No. 9346 (8

F.R. 7183) approved May 27, 1943, and to effectuate the purposes of said order it is hereby ordered as follows:

- Sec.
1203.1 Statement of charges, answer and notice of hearing.
1203.2 Motions.
1203.3 Hearing.
1203.4 Proposed decision of the Committee; proposed findings and conclusions of counsel.
1203.5 Exceptions, briefs and oral argument.
1203.6 Decision and other action of the Committee.
1203.7 Record.
1203.8 Waiver of hearing.
1203.9 Appeal.
1203.10 Miscellaneous.

AUTHORITY: §§ 1203.1 to 1203.10, inclusive, issued under E.O. 9346, 8 F.R. 7183.

§ 1203.1 *Statement of charges, answer and notice of hearing.* Formal proceedings shall be instituted by the Committee by the issuance of a statement of charges setting forth the alleged unfair employment practices and a notice of hearing fixing the time and place of hearing. The statement of charges may be amended at any time before the close of the hearing or withdrawn, without prejudice to a subsequent hearing on such charges as are withdrawn. The statement of charges together with the notice of hearing shall be served upon the party or parties charged at least fifteen days prior to the date of hearing. The party or parties charged shall have the right within ten days from service to file an answer. The answer shall be signed and shall contain a short statement of facts which constitute the grounds for defense. The answer may be amended at any time prior to hearing and, in the discretion of the official or officials presiding at the hearing, may be amended upon motion during hearing.

§ 1203.2 *Motions.* Motions may be filed at any time during the course of the proceeding. If made prior to or following the hearing, they shall be filed with the Committee. If made during the hearing, they shall be addressed to the presiding official or officials and may be either oral or written. All motions should briefly state the order or relief applied for and the grounds therefor. Motions made during the hearing shall be ruled upon by the presiding official or officials. Such rulings shall not be appealed to the Committee, except by special permission of the Committee, but shall be included in the record and may be raised with the Committee by exception in accordance with § 1203.5.

§ 1203.3 *Hearing.* The hearing may be held before the full Committee or a member or panel of members of the Committee and/or a Hearing Commissioner, as may be determined by the Committee. A verbatim transcript of the hearing shall be made. The hearing shall be public, unless otherwise ordered by the Committee, and shall be conducted in such manner as to develop fully the facts necessary to determine whether the party or parties charged have engaged or are engaging in the practices set forth in the statement of charges. The pre-

siding official or officials and counsel for the Committee shall have the power to call, examine and cross-examine witnesses, and to introduce into the record documentary or other evidence. Any party charged shall have the right to appear at the hearing in person, by counsel or otherwise, to call, examine or cross-examine witnesses, and to introduce into the record documentary or other evidence. Rules of evidence prevailing in courts of law or equity shall not be controlling. Stipulations of facts or other agreements of counsel may be introduced in evidence with respect to any issue. Any objections to the conduct of the hearing, including objections to the introduction of evidence, may be made orally or in writing and, together with the rulings thereon, shall be included in the record. Rulings on objections may not be appealed to the Committee, but may be raised with the Committee by exception in accordance with § 1203.5. Upon request, any party shall be entitled to a reasonable time for oral argument and shall be entitled also to file a written brief. In the discretion of the presiding official or officials, the place of the hearing may be changed and the hearing may be continued or adjourned at any time. In all other respects, the presiding official or officials shall have complete control of the conduct of the hearing, providing that he or they may submit or reserve for decision by the Committee any questions which arise during the hearing. Where the hearing is not held before the full Committee but is held before a member or panel of members of the Committee and/or a Hearing Commissioner, the case shall be deemed to have been transferred to the Committee upon close of the hearing.

§ 1203.4 *Proposed decision of the Committee; proposed findings and conclusions of counsel.* By appropriate notice prior to or during the hearing, the parties shall be advised either by the Committee or by the presiding official or officials whether, after close of the hearing, (a) a proposed decision shall be issued by the Committee or (b) proposed findings and conclusions shall be prepared by opposing counsel, including counsel for the Committee, except that where the public interest demands or by agreement of the parties the Committee may finally decide the case, as provided for in § 1203.6, without the issuance first of a proposed decision or the preparation of proposed findings and conclusions of counsel. At any time before close of the hearing, any party may request that proposed findings and conclusions be prepared by counsel in lieu of issuance by the Committee of a proposed decision. A proposed decision shall be served upon all parties, including counsel for the Committee. Proposed findings and conclusions of counsel shall be filed with the Committee within fifteen days from close of the hearing or within such other time as may be fixed by the presiding official or officials, copies shall be exchanged by counsel within the same period, and it shall be reported in writing to the Committee that copies have been so exchanged.

§ 1203.5 *Exceptions, briefs and oral argument.* Where a proposed decision is to be issued, any party may file exceptions thereto or to any part of the record or proceedings (including rulings upon motions or objections) as it relies upon, together with a supporting brief, within fifteen days from service of the proposed decision. Where proposed findings and conclusions are to be prepared by counsel, exceptions to the record or proceedings and a supporting brief may be filed within fifteen days from close of the hearing. Exceptions to the record or proceedings and a supporting brief may also be filed within fifteen days from close of the hearing where the case is to be finally decided without the issuance first of a proposed decision or the preparation of proposed findings and conclusions of counsel. Matters not included in the exceptions may not thereafter be objected to before the Committee and failure to file exceptions shall operate as a submission of the case to the Committee on the record. Upon request, and in the discretion of the Committee, any party may be given permission to argue orally before the Committee: *Provided*, That such request is filed within fifteen days from service of a proposed decision, or within fifteen days from the filing of proposed findings and conclusions of counsel, or otherwise within fifteen days from close of the hearing.

§ 1203.6 *Decision and other action of the Committee.* After expiration of the period for filing exceptions and briefs as provided for in § 1203.5, or after oral argument, the Committee may decide the matter upon the record and issue its decision, except that the Committee may make final its proposed decision or adopt proposed findings and conclusions of counsel; or, after appropriate notice, the Committee may reopen the record and receive further evidence either itself or before a member or panel of members of the Committee and/or a Hearing Commissioner; or it may close the case upon compliance with recommendations contained in its proposed decision; or it may make other disposition of the case. Where the Committee makes final its proposed decision and exceptions thereto have been taken, or where the Committee adopts proposed findings and conclusions of counsel, it shall state the reason for its action. The decision of the Committee shall be supported by substantial evidence, and copies of the decision shall be served upon all parties. Motions to reopen the record, or motions for rehearing or re-argument, may be filed with the Committee within fifteen days from service of the decision. Such motions shall show good cause and specify the evidence to be adduced or issues to be re-heard or re-argued as may be relevant to the relief requested. The Committee may, at any time, upon appropriate notice, modify or set aside, in whole or in part, any disposition of the case made by it.

§ 1203.7 *Record.* The record shall consist of the Committee's statement of charges and any amendments thereto, the notice of hearing, answers and any amendments thereto, motions, rulings,

orders, the stenographic report of the hearing, stipulations, exhibits, papers filed by the parties (other than separately presented briefs), proposed decision, if issued, and the decision in the case.

§ 1203.8 *Waiver of hearing.* By stipulation between the parties, hearing may be waived and decision rendered by the Committee on an agreed statement of facts.

§ 1203.9 *Appeal.* Any party against whom an adverse decision is rendered by the Committee may appeal therefrom to the President.

§ 1203.10 *Miscellaneous.* (a) Service and filing of papers shall be deemed to be effected as of the date of transmittal of such papers. Extension of time for filing may be granted upon application to the Committee for good cause shown.

(b) All papers required to be filed with the Committee shall be filed in triplicate at its offices in Washington, D. C., except as the parties may be otherwise advised in writing. Where there are multiple parties charged copies of papers filed with the Committee by one party shall be furnished to the other parties charged.

(c) Impertinent, scandalous or scurrilous statements shall be expunged from the record and any papers filed with the Committee, including briefs, which contain such statements may be rejected by the Committee.

(d) A copy of the record in the case shall be available for inspection by any party at any time during regular business hours at the offices of the Committee in Washington, D. C., or at such other place as may be designated.

(e) Other procedural matters, such as depositions and interventions, not herein provided for, shall be determined by the Committee on its own motion or on application and with appropriate notice.

Effectiveness. These rules and regulations shall become effective upon publication in the FEDERAL REGISTER and shall continue in force and effect until amended and rescinded by rules and regulations hereafter made and published by the Committee.

Dated: December 12, 1944.

For the Committee.

MALCOLM ROSS,
Chairman.

[F. R. Doc. 44-19616; Filed, Dec. 27, 1944;
2:51 p. m.]

○ TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[SFA 7 Rev. Reg. 18]

PART 602—GENERAL ORDERS AND DIRECTIVES

PRODUCTION AND DISTRIBUTION OF PENNSYLVANIA ANTHRACITE

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of anthracite for defence, for private account and for

export; and the following revised regulation is deemed necessary and appropriate in the public interest and to promote the national defense.

- Sec.
602.330 Purpose of regulation.
602.331 Definitions.
602.332 Conditions under which anthracite may be sold, shipped, delivered or received.
602.333 Deliveries to mine employees.
602.334 Deliveries on local sales in the producing region.
602.335 Distribution by producers to timber truckers.
602.336 Distribution by producers and wholesalers of available tonnage.
602.337 Distribution by producers or wholesalers of excess tonnage to other producers or wholesalers (excluding lake dock operators).
602.338 Disposition by SFAW of excess tonnage.
602.339 Distribution by equipped retail dealer to unequipped retail dealers.
602.340 Method for establishing war veteran base period tonnage.
602.341 Receipts by retail dealers and persons receiving anthracite by truck restricted.
602.342 Retail dealers required to augment their anthracite supply with other solid fuels.
602.343 Restrictions upon distribution by producers and wholesalers of anthracite for industrial use or production of power.
602.344 Restrictions upon distribution of excludable tonnage by producers and wholesalers.
602.345 Distribution by producers or wholesalers to consumers other than mine employees and consumers on local sales in the producing regions.
602.346 Producers and wholesalers to advise retail dealers of base period tonnages and adjustments.
602.347 Information to be furnished by producers and wholesalers to SFAW.
602.348 Review of base period tonnage adjustments.
602.349 Adjustments of base period tonnage of No. 2 Buckwheat (Rice).
602.350 Transfers of base period tonnage.
602.351 Producers or wholesalers without a base period tonnage.
602.352 Action under other regulations.
602.353 Evasion prohibited.
602.354 National Anthracite Distribution Committee; Supply and Distribution Subcommittee; Regional Anthracite Distribution Committee.
602.355 Reports.
602.356 Records.
602.357 Audit and inspection.
602.358 Damages for breach of contract.
602.359 Violations.
602.360 Applications for modification and exception; inquiries and communications.
602.361 Official interpretations.

AUTHORITY: §§ 602.330 to 602.361, inclusive, issued under E.O. 9332, 8 F.R. 9125; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176.

§ 602.330 *Purpose of regulation.* It is intended that under this regulation each producer and each wholesaler of Pennsylvania anthracite will arrange his production and distribution schedules so as to meet to the maximum extent practicable the requirements for such anthracite. It is the responsibility of each producer and of each wholesaler

to arrange his production and distribution schedules so that the purposes of this regulation will be effectively carried out. In the absence of unforeseen difficulties, producers and wholesalers should, under this regulation, be able to distribute equitably the available supply of anthracite among all destinations and dealers. This does not mean that there will be enough anthracite to give all consumers all that they want. It is anticipated that many consumers who want anthracite may find it necessary to use some other solid fuel. Retail dealers must arrange to augment their anthracite supply with other solid fuels to the extent necessary to meet minimum essential requirements of consumers. The distribution of anthracite can be equitably accomplished if producers, wholesalers, and retail dealers will act strictly and promptly in accordance with regulations of the Solid Fuels Administration for War.

§ 602.331 *Definitions.* (a) "Anthracite" means that coal which is generally referred to as Pennsylvania anthracite produced or prepared in the following counties in Pennsylvania: Carbon, Columbia, Dauphin, Lebanon, Lackawanna, Luzerne, Northumberland, Schuylkill, Susquehanna and Wayne; and for the purposes of this regulation is limited to the following sizes: broken, egg, stove, chestnut, pea, No. 1 buckwheat and No. 2 buckwheat (rice).

(b) "Solid fuel" means any form of anthracite, semi-anthracite, bituminous, sub-bituminous or lignitic coals or coke (including packaged and processed fuels such as briquets).

(c) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons.

(d) "Producer" means any persons engaged in the business of mining or preparing anthracite.

(e) "Wholesaler" means any producer to the extent that he ships, distributes, or sells anthracite to equipped retail dealers, unequipped retail dealers, or lake dock operators; and any person (including a lake dock operator) to the extent that he receives or purchases anthracite for shipment, distribution or resale to equipped retail dealers, lake dock operators, or other wholesalers.

(f) "Lake dock operator" means any person to the extent that he receives anthracite by water at unloading facilities on the Great Lakes.

(g) "Retail dealer" means any person (including the retail outlet, branch or department of one who is also a producer, wholesaler or lake dock operator) to the extent that he acts in the capacity of a supplier, shipper, or seller of anthracite in any transaction, except a wholesale transaction, involving a shipment, sale, or sale and delivery, of broken bulk anthracite physically handled in a truck, wagon or other less than carload facility, without regard to quantity or frequency of delivery.

(h) "Equipped retail dealer" means any retail dealer who has both storage facilities and truck scales.

(i) "Unequipped retail dealer" means any retail dealer except an equipped retail dealer.

(j) "Consumer" means any person who acquires anthracite for space heating, domestic hot water, or domestic cooking except to the extent that he acquires such anthracite for space heating incidental to an industrial process or the production of power.

(k) "Space heating incidental to an industrial process or the production of power" denotes a set of circumstances under which the annual tonnage of anthracite consumed for space heating does not exceed 40 per cent of the total annual tonnage of anthracite consumed in the industrial process, the production of power and the space heating.

(l) "Industrial process or the production of power" includes without limitation any manufacturing or commercial processing, the generation of electrical energy for resale or otherwise, and the ordinary operations of a commercial bakery or laundry. Industrial process or the production of power does not include the ordinary operations of the following, among others: apartment houses, hotels, (exclusive of functions as restaurant), schools and office buildings.

(m) "Local sales in the producing region" means all sales or deliveries of anthracite at retail to consumers (other than mine employees) within the following townships and boroughs in the ten counties specified in paragraph (a) of this section:

Carbon County. Townships: Banks, Lehigh, Mahoning, Mauch Chunk, and Packer. Boroughs: Mauch Chunk and East Mauch Chunk.

Columbia County. Townships: Beaver, Conyngham, Locust, Mifflin, and Roaring Creek.

Dauphin County. Townships: Jackson, Jefferson, Lykens, Rush, Wiconisco, and Williams.

Lackawanna County. All townships.

Luzerne County. All townships except Ross, Fairmont, and Huntington.

Lebanon County. Cold Spring Township only.

Northumberland County. Townships: Coal, East Cameron, West Cameron, Mount Carmel, Upper Mahanoy, and Zerbe.

Schuylkill County. All townships.

Susquehanna County. Clifford Township only.

Wayne County. Townships: Clinton and Canaan.

(n) "Deliveries to mine employees" means sales or deliveries of anthracite to such employees of producers of anthracite as are engaged in mining operations or functions directly connected therewith in the vicinity of the mining operations.

(o) "Base period" means the period from April 1, 1942 to March 31, 1943, inclusive, except that with respect to No. 2 buckwheat (rice) the base period in respect to shipments to destinations in the United States means the period April 1, 1943 to March 31, 1944, inclusive. Under this definition the base period with respect to No. 2 buckwheat (rice) shipments to destinations in the Dominion of Canada is the period April 1, 1942 to March 31, 1943, inclusive.

(p) "Base period tonnage" means the total number of tons of anthracite shipped by any person to any person during the base period, except excludable tonnage as defined in this regulation. Base period tonnage consists of three separate tonnages for all statistical and regulatory purposes, as follows:

(1) A total base period tonnage for the following sizes: broken, egg, stove, chestnut and pea;

(2) A base period tonnage for No. 1 buckwheat; and

(3) A base period tonnage for No. 2 buckwheat (rice).

The persons as between whom base period tonnages are established under this regulation are specified in §§ 602.334, 602.336, 602.337 (b), 602.339, 602.340 and 602.341.

(q) "Base period tonnage as adjusted" means the base period tonnage as heretofore or hereafter increased or decreased by the Solid Fuels Administration for War.

(r) "Available tonnage" means the total tonnage of anthracite which a producer or wholesaler has in any calendar month for distribution after deducting the tonnage lawfully shipped or scheduled for shipment in that calendar month as follows:

(1) Pursuant to Solid Fuels Administration for War directions;

(2) As excludable tonnage;

(3) To mine employees to the extent permitted by § 602.333;

(4) On local sales in the producing region to the extent permitted by § 602.334;

(5) To timber truckers in the manner and to the extent permitted by § 602.335;

(6) To consumers in the manner and to the extent permitted by § 602.345.

(s) "Excludable tonnage" means only that tonnage of anthracite lawfully shipped or scheduled to be shipped in any calendar month by producers or wholesalers directly, or through retail dealers, to the following, each of which shall be considered a separate category:

(1) United States Army, Navy, Marine Corps, Coast Guard, the Maritime Commission or the War Shipping Administration;

(2) Any person to the extent that he acquires anthracite for use in an industrial process or for the production of power or for space heating which is incidental thereto;

(3) Any person for use in poultry brooders or hatcheries to the extent permitted under SFAW Revised Regulation No. 5.

(t) "Excess tonnage" means that portion of the available tonnage of anthracite which on a cumulative basis from April 1, 1944 to the end of any calendar month exceeds the tonnage necessary to make the shipments to retail dealers and others as required in § 602.336. (Unless shipped to or for the account of other producers or wholesalers as more fully provided in § 602.337, excess tonnage of any producer or wholesaler must be made immediately available to the Solid Fuels Administration for War for allocation to minus producers or minus wholesalers.)

(u) "Deficiency in tonnage" means a tonnage of anthracite which, on a cumulative basis from April 1, 1944 to the end of any calendar month, equals the difference between the available tonnage of anthracite and the tonnage necessary to make the maximum permissible shipments pursuant to § 602.336.

(v) "Plus producer" means a producer who has excess tonnage; "plus wholesaler" means a wholesaler who has excess tonnage.

(w) "Minus producer" means a producer who has a deficiency in tonnage; "minus wholesaler" means a wholesaler who has a deficiency in tonnage.

(x) "Destination" means any city, town, village or community: *Provided, however, That with respect to New York City, the boroughs of Manhattan and Bronx as a unit, Brooklyn and Queens as a unit, and the borough of Richmond, shall be treated as three separate destinations.*

(y) "Regulation" means a regulation, order, direction or instruction of the Solid Fuels Administration for War unless otherwise specifically indicated.

(z) "SFAW" means Solid Fuels Administration for War.

§ 602.332 *Conditions under which anthracite may be sold, shipped, delivered or received.* No producer, wholesaler or retail dealer shall distribute, ship, deliver, sell or receive any anthracite except in accordance with the provisions of this regulation and other applicable regulations. Any producer, wholesaler or retail dealer who distributes, ships, delivers, sells or receives anthracite, except as provided in the regulations, may, to the extent necessary or appropriate in assuring the equitable distribution of anthracite, be precluded in whole or in part by SFAW from distributing, shipping, delivering or receiving anthracite.

§ 602.333 *Deliveries to mine employees.* A producer may, notwithstanding other provisions of this regulation, deliver and supply, or arrange for the delivery or supply of, the full annual requirements for anthracite during the period April 1, 1944 to March 31, 1945, of his mine employees.

§ 602.334 *Deliveries on local sales in the producing region.* A producer or wholesaler may, notwithstanding other provisions of this regulation, during the period April 1, 1944 to March 31, 1945, inclusive, deliver or arrange through retail dealers for the delivery to consumers (other than mine employees) of anthracite on local sales in the producing region up to but not in excess of 87½ per cent of the aggregate of the base period tonnages, as adjusted, which such producer or wholesaler has established in respect to such local sales in the producing region. In making deliveries of anthracite on local sales in the producing region, no producer, wholesaler or retail dealer shall deliver during the period April 1, 1944 to March 31, 1945, inclusive, to consumers (other than mine employees) more than 87½ per cent of the individual consumer's annual requirements for anthracite. In respect to producers, whole-

salers and retail dealers who, in accordance with this regulation, had available tonnage sufficient to ship to their trade generally prior to August 1, 1944 at a rate in excess of 87½ per cent of the base period tonnage, such tonnage shipped during the period April 1, 1944 to July 31, 1944, inclusive, in excess of ½ of 87½ per cent of the base period tonnage, as adjusted, but not in excess of ½ of 80 per cent of the base period tonnage, as adjusted, shall not be taken into account in computing the maximum permissible tonnage to be shipped pursuant to this paragraph.

§ 602.335 *Distribution by producers to timber truckers.* Upon receipt of a truckload of timber for use in mining operations, a producer may deliver to the timber trucker one truckload of anthracite, *Provided, however, That before making any such delivery of anthracite, the producer shall obtain from the timber trucker a statement filled out and signed by the timber trucker, as follows:*

Bureau of the Budget No. 42-B663

UNITED STATES
DEPARTMENT OF THE INTERIOR

Solid Fuels Administration for War

I have this day delivered to _____
(Insert pro-

ducer's name and location of colliery)
one truckload of timber and I have received from that producer one truckload consisting of _____ tons of anthracite which I will deliver to _____

(Insert destination and name of retail dealer, if any)
The last load of anthracite consisting of _____ tons which I received from this colliery, I delivered to _____
(Insert des-

tination and name of retail dealer, if any)
To the extent that I am making deliveries of anthracite to consumers, I am observing the provisions of SFAW Regulation No. 17.

I understand that all of the foregoing statements are representations to the Solid Fuels Administration for War and that any willfully false statement, in a matter within the jurisdiction of a department or agency of the United States, is a criminal offense and that I may be subject to criminal penalties for making such false statement. I also understand that Section 35 (A) of the Criminal Code (18 U.S.C. 89) provides, upon conviction, for a fine of not more than \$10,000 or imprisonment for not more than 10 years, or both.

(Signature of Timber Trucker)

Date: _____
Sales Ticket No. _____
State License No. of Truck: _____

§ 602.336 *Distribution by producers and wholesalers of available tonnage—*
(a) *Distribution by producer or wholesaler to equipped retail dealers (except deliveries moving by truck from mine or preparation plant.* (1) Except as otherwise provided in paragraphs (b) and (c) of this section and subparagraphs (2) and (3) of this paragraph (a), each producer and wholesaler (including a lake dock operator) shall arrange his schedule for the distribution of his available tonnage (exclusive of deliveries by truck from a mine or preparation plant which are governed by paragraph (d)

of this section) so that during the period April 1, 1944 to March 31, 1945, inclusive, on the basis, to the maximum extent practicable, of regular equal monthly shipments, he shall have supplied anthracite—except No. 2 buckwheat (rice)—to each equipped retail dealer in the United States and Canada, up to but not in excess of 87½ per cent of the base period tonnage, as adjusted, established between such producer or wholesaler and each such equipped retail dealer. In respect to producers, wholesalers and retail dealers who, in accordance with this regulation had available tonnage sufficient to ship to their trade generally prior to August 1, 1944 at a rate in excess of 87½ per cent of the base period tonnage, such tonnage shipped during the period April 1, 1944 to July 31, 1944, inclusive, in excess of ½ of 87½ per cent of the base period tonnage, as adjusted, but not in excess of ½ of 90 per cent of the base period tonnage, as adjusted, shall not be taken into account in computing the maximum permissible tonnage to be shipped pursuant to this paragraph.

(2) Each producer and each wholesaler (including a lake dock operator) shall arrange his schedule for the distribution of his available tonnage of No. 2 buckwheat (rice) so that during the period April 1, 1944 to March 31, 1945, inclusive, on the basis, to the maximum extent practicable, of regular equal monthly shipments, he shall have supplied to each equipped retail dealer in the United States and Canada up to but not in excess of the base period tonnage, as adjusted, established between such producer or wholesaler and each such equipped retail dealer.

(3) In the event that a producer or wholesaler is unable to make equal monthly shipments to an equipped retail dealer who advises in writing that he does not have storage facilities to accommodate all of the tonnage of either No. 1 buckwheat or No. 2 buckwheat (rice) which may be shipped to him pursuant to § 602.336 (a), and that he cannot dispose of such coal upon receipt, such producer or wholesaler may accelerate shipments of either No. 1 buckwheat or No. 2 buckwheat (rice) to other equipped retail dealers prior to October 1, 1944, without regard to equal monthly shipments to such equipped retail dealers. However, in no event shall the total tonnage shipped to each equipped retail dealer during the period April 1, 1944 to March 31, 1945, inclusive, exceed the total tonnage permitted by this regulation to be shipped by such producer or wholesaler to each such equipped retail dealer. In addition, the total tonnage of either No. 1 buckwheat or No. 2 buckwheat (rice) shipped by such producer or wholesaler to equipped retail dealers in the aggregate in any calendar month shall in no event exceed one-twelfth of the total tonnage permitted by this regulation to be shipped by such producer or wholesaler to equipped retail dealers in the aggregate to March 31, 1945.

(b) *Distribution by producer or wholesaler to lake dock operators.* Each producer and each wholesaler (excluding a

lake dock operator) shall arrange his schedule for the distribution of his available tonnage, as defined in this regulation, via the Great Lakes, so that by November 1, 1944, on the basis, to the maximum extent practicable, of regular equal monthly shipments to that date, he shall have shipped to the same lake docks and the same lake dock operators in the United States and Canada (whether they are wholesalers or equipped retail dealers, or both) up to but not in excess of 87½ per cent of the base period tonnage, as adjusted, established between such producer or wholesaler and such lake dock and lake dock operator. In respect to producers and wholesalers who, in accordance with this regulation, had available tonnage sufficient to ship to their trade generally prior to August 1, 1944 at a rate in excess of 87½ per cent of the base period tonnage, such tonnage shipped during the period April 1, 1944 to July 31, 1944, inclusive, in excess of ¼ of 87½ per cent of the base period tonnage, as adjusted, but not in excess of ¼ of 90 per cent of the base period tonnage, as adjusted, shall not be taken into account in computing the maximum permissible tonnage to be shipped pursuant to this paragraph.

(c) *Distribution by producer or wholesaler to retail dealers at designated ice-bound ports.* Each producer and each wholesaler may, and upon direction of SFAW shall, arrange his schedule for the distribution of his available tonnage, as defined in this regulation, so that by November 1, 1944, he shall have shipped by water to retail dealers in the United States and Canada (including tidewater dock operators) located at ice-bound ports, to be designated by SFAW, and on the basis, to the maximum extent practicable, of regular equal monthly shipments to that date, up to but not in excess of 87½ per cent of the base period tonnage, as adjusted, established between such producer or wholesaler and such retail dealer. In respect to producers and wholesalers who, in accordance with this regulation, had available tonnage sufficient to ship to their trade generally prior to August 1, 1944 at a rate in excess of 87½ per cent of the base period tonnage, such tonnage shipped during the period April 1, 1944 to July 31, 1944, inclusive, in excess of ¼ of 87½ per cent of the base period tonnage, as adjusted, but not in excess of ¼ of 90 per cent of the base period tonnage, as adjusted, shall not be taken into account in computing the maximum permissible tonnage to be shipped pursuant to this paragraph.

(d) *Distribution by producer or wholesaler of anthracite moving by truck from mine or preparation plant (except sales to mine employees, local sales and sales to timber truckers.* This paragraph governs the distribution of anthracite (except that referred to in §§ 602.333, 602.334 and 602.335) moving by truck from a mine or preparation plant located in any of the counties designated in § 602.331 (a). Each person who received anthracite by such method of transportation during the base period shall be deemed to have an established base period tonnage with the producer

or wholesaler from whose mine or preparation plant the anthracite was received. In the event that such a person distributed such anthracite to retail dealers in the base period, he shall be required to distribute such anthracite to retail dealers with whom he has an established base period tonnage in accordance, so far as practicable, with the provisions of paragraph (a) of this section.

(This section does not govern the distribution of anthracite by a truck which is loaded at a point outside of the townships and boroughs designated in § 602.331 (m) and which is delivered at a point outside of those townships and boroughs. Such distribution is governed by § 602.339 entitled "Distribution by equipped retail dealer to unequipped retail dealers.")

(1) Each producer and wholesaler shall arrange his schedule for the distribution of his available tonnage of anthracite—except No. 2 buckwheat (rice)—for shipment by truck to each person with whom he has an established base period tonnage for truck shipments so that during the period April 1, 1944 to March 31, 1945, inclusive, he shall have supplied to each such person, on the basis, to the maximum extent practicable, of regular equal monthly shipments up to but not in excess of 87½ per cent of the base period tonnage, as adjusted, of each such person. In respect to producers, wholesalers and retail dealers who, in accordance with this regulation, had available tonnage sufficient to ship to their trade generally prior to August 1, 1944 at a rate in excess of 87½ per cent of the base period tonnage, such tonnage shipped during the period April 1, 1944 to July 31, 1944, inclusive, in excess of ½ of 87½ per cent of the base period tonnage, as adjusted, but not in excess of ½ of 90 per cent of the base period tonnage, as adjusted, shall not be taken into account in computing the maximum permissible tonnage to be shipped pursuant to this paragraph.

(2) Each producer and wholesaler shall arrange his schedule for the distribution of his available tonnage of No. 2 buckwheat (rice) for shipment by truck to each person with whom he has an established base period tonnage for truck shipments of such coal so that during the period April 1, 1944 to March 31, 1945, inclusive, on the basis, to the maximum extent practicable, of regular equal monthly shipments, he shall have supplied each such person up to but not in excess of the base period tonnage, as adjusted, of such person.

(3) If in any calendar month during the period April 1, 1944 to March 31, 1945, inclusive, a person who has an established base period tonnage for truck shipments fails to send trucks to a mine or preparation plant to receive his proportionate share of the available tonnage of the producer or wholesaler with whom he has established such a base period tonnage, such producer or wholesaler may, subject to the restrictions of this regulation, distribute to retail dealers a tonnage equivalent to such unde-

livered tonnage. However, if a person demonstrates to the satisfaction of the appropriate Regional Representative of SFAW that after diligent effort he is unable to obtain trucks to haul his monthly quota of anthracite from a mine or preparation plant, then the producer or wholesaler may, with the approval of the appropriate Regional Representative, ship such tonnage to such person by any other reasonable mode of transportation either directly or through a wholesaler chosen by the producer and upon direction of SFAW shall make such shipments.

(4) If a producer or a wholesaler does not have records which establish a base period tonnage of a person receiving anthracite by truck, such producer or wholesaler may distribute anthracite to such person for shipment by truck, *Provided*, That the aggregate tonnage of truck shipments by such producer or wholesaler to all persons does not in any calendar month during the period April 1, 1944 to March 31, 1945, inclusive, exceed one-twelfth of 87½ per cent of the aggregate base period tonnage, as adjusted, of truck shipments by such producer or wholesaler to all such persons.

(5) Before making any distribution for shipment by truck pursuant to this paragraph, a producer or wholesaler shall first obtain the following statement, filled out and signed by the driver of the truck:

Bureau of the Budget No. 42-R669

UNITED STATES
DEPARTMENT OF THE INTERIOR

Solid Fuels Administration for War

I have this day received for _____
(Name of retail
_____ tons of anthracite from
dealer purchaser)

(Insert name of producer or wholesaler)
which will be delivered to _____
(Insert destination)

_____. This is a
and name of retail dealer, if any)
destination to which I, or the retail dealer
purchaser, delivered anthracite during the
period April 1, 1942 to March 31, 1943, in-
clusive.

I understand that all the foregoing statements are representations to the Solid Fuels Administration for War and that any willfully false statement, in a matter within the jurisdiction of a department or agency of the United States, is a criminal offense and that I may be subject to criminal penalties for making such false statement. I also understand that Section 35 (A) of the Criminal Code (18 U.S.C. 80) provides, upon conviction, for a fine of not more than \$10,000 or imprisonment for not more than 10 years, or both.

(Signature of Truck Driver)

Date: _____
Sales Ticket No. _____
State License No. of Truck _____

(e) *Uniform percentage of reduction in shipments required if producer or wholesaler has a deficiency in tonnage.* If in any calendar month a producer's or wholesaler's available tonnage is not sufficient to enable him to supply each retail dealer, lake dock or lake dock operator to whom he shipped anthracite

in the base period with the appropriate monthly portion of the base period tonnage, as adjusted, of each such retail dealer, lake dock or lake dock operator, such producer or wholesaler shall, during that month, apply a uniform percentage of reduction in shipments to each retail dealer, lake dock and lake dock operator.

§ 602.337 *Distribution by producers or wholesalers of excess tonnage to other producers or wholesalers (excluding lake dock operators).* (a) Except as provided in §§ 602.337 (b) and 602.338 (c), each producer and wholesaler shall, to the maximum extent practicable, arrange with another producer or wholesaler of his own selection (excluding lake dock operators but including any other wholesaler in the United States or Canada) for regular shipment each month to or for the account of such producer or wholesaler of all anthracite which exceeds the tonnage actually shipped or scheduled for shipment during the month (1) pursuant to SFAW directions; (2) as excludable tonnage; (3) to mine workers, or on local sales in the producing region or to timber truckers in the manner and to the extent permitted in §§ 602.333, 602.334 and 602.335, respectively; and (4) as available tonnage to retail dealers and others to the maximum extent permitted under § 602.336.

No producer or wholesaler may receive anthracite from another producer or wholesaler, pursuant to this section, except upon condition that the receiving producer or wholesaler will distribute such anthracite strictly in accordance with this regulation.

(b) In order to assure a fair apportionment of anthracite as between wholesalers in the United States and wholesalers in Canada, the following special provisions and restrictions are necessary:

(1) There is hereby established as the base period tonnage between each producer or wholesaler in the United States and wholesalers in Canada in the aggregate the total tonnage of anthracite shipped by such producer or wholesaler in the United States to or for the account of all wholesalers in Canada during the base period.

(2) Each producer and each wholesaler in the United States shall determine the percentage of the total tonnage shipped by him during the base period to or for the account of all wholesalers, in the United States and Canada, that was shipped by him to or for the account of wholesalers in Canada in the aggregate.

(3) No producer or wholesaler in the United States shall during any calendar month during the period April 1, 1944 to March 31, 1945, inclusive ship a greater percentage of his excess tonnage to or for the account of wholesalers in Canada in the aggregate than the percentage determined in subparagraph (2) of this paragraph (b).

(4) Subject to the further restriction imposed by subparagraph (3) of this paragraph (b) no producer or wholesaler in the United States shall ship or

schedule for shipment to or for the account of wholesalers in Canada in the aggregate during the period April 1, 1944 to March 31, 1945, inclusive, a tonnage of anthracite which exceeds 87½ per cent of the base period tonnage, as adjusted, of sizes No. 1 buckwheat, and larger, or which exceeds 100 per cent of the base period tonnage, as adjusted, of No. 2 buckwheat (rice) of the wholesalers in Canada in the aggregate.

§ 602.338 *Disposition by SFAW of excess tonnage.* (a) Any plus producer or plus wholesaler who is unable to dispose of his excess tonnage of anthracite in accordance with § 602.337 after having made a reasonable effort to do so, shall make all such excess tonnage immediately available to SFAW for distribution during the period specified in paragraph (b) of this section, to minus producers or minus wholesalers.

(b) If a plus producer or plus wholesaler demonstrates to SFAW that he has made a reasonable effort to dispose of his excess tonnage in accordance with § 602.337, then directions for the distribution of such excess tonnage will be issued within 30 days from the date on which the existence of such excess tonnage is brought to the attention of the Chief of the Anthracite Distribution Division of SFAW, and if within such period of 30 days SFAW fails to issue a direction for the distribution of such excess tonnage, then he may ship such excess tonnage to any person he chooses. If within such 30 days SFAW determines that the plus producer or wholesaler has not made a reasonable effort to dispose of his excess tonnage in accordance with § 602.337, it shall forthwith so advise him.

(c) Unless otherwise specified in the SFAW direction, a producer or wholesaler shall commence shipment in compliance with such direction within five working days after the receipt of such direction and complete the required shipments within 30 days from the receipt of such direction. If any wholesaler fails to commence shipments in compliance with a direction within five working days after the receipt of the direction, SFAW may reissue such direction to the producer or producers supplying anthracite directly or indirectly to or for the account of such wholesaler and such producer or producers shall be required to comply in full with said direction before making any other shipments directly or indirectly to or for the account of such wholesaler.

A producer or wholesaler to whom a direction is issued by SFAW is required (1) to acknowledge promptly in writing the receipt of the direction and advise SFAW of the date on which shipments will commence and the probable date of completion and (2) to notify SFAW in writing of the date on which shipments have been completed, pursuant to the direction.

(d) If, but only if, the necessity of obtaining an adequate car supply so requires, a producer with excess tonnage, may prior to the receipt of shipping instructions from a wholesaler to whom such excess tonnage has been allocated by SFAW, ship excess tonnage, to the extent

necessary to relieve the car supply problem, to any person he wishes. Any producer who takes such action shall forthwith notify SFAW by telegram of the circumstances necessitating the action, the tonnage shipped and the person to whom the tonnage was shipped.

(e) If it appears to SFAW that estimated production of domestic sizes, No. 1 buckwheat or No. 2 buckwheat (rice) as three separate categories of anthracite, during any calendar month or months from April 1, 1944 to March 31, 1945, inclusive, is likely to exceed maximum shipments permissible for such month or months under § 602.336, then SFAW will issue notification to all producers and wholesalers authorizing them, after making shipments of excludable tonnage and shipments permitted or required under §§ 602.334, 602.335 and 602.336, during said month or months, to ship the remaining tonnage of the size or sizes determined to be in excess to any person they choose. Shipments made on the basis of such SFAW notification will not be considered as a basis for reducing required or permissible shipments under this regulation during succeeding months to any dealer or other person receiving the excess tonnage.

§ 602.339 *Distribution by equipped retail dealer to unequipped retail dealers.* (a) Each equipped retail dealer (including a lake dock operator or a tidewater dock operator) shall arrange his distribution schedule so that during the period April 1, 1944 to March 31, 1945, inclusive, on the basis, to the maximum extent practicable, of regular equal monthly shipments, he shall have supplied anthracite—except No. 2 buckwheat (rice)—to each unequipped retail dealer up to but not in excess of $87\frac{1}{2}$ per cent of the base period tonnage, as adjusted, established between such equipped retail dealer and such unequipped retail dealer. In respect to producers, wholesalers and retail dealers who, in accordance with this regulation, had available tonnage sufficient to ship to their trade generally prior to August 1, 1944 at a rate in excess of $87\frac{1}{2}$ per cent of the base period tonnage, such tonnage shipped during the period April 1, 1944 to July 31, 1944, inclusive, in excess of $\frac{1}{2}$ of $87\frac{1}{2}$ per cent of the base period tonnage, as adjusted, but not in excess of $\frac{1}{2}$ of 90 per cent of the base period tonnage, as adjusted, shall not be taken into account in computing the maximum permissible tonnage to be shipped pursuant to this paragraph.

(b) Each equipped retail dealer (including a lake dock operator or a tidewater dock operator) shall arrange his schedule for the distribution of his available tonnage of No. 2 buckwheat (rice) so that during the period April 1, 1944 to March 31, 1945, inclusive, on the basis, to the maximum extent practicable, of regular equal monthly shipments, he shall have supplied to each unequipped retail dealer up to but not in excess of the base period tonnage, as adjusted, established between such equipped retail dealer and such unequipped retail dealer.

(c) If in any calendar month an equipped retail dealer's available tonnage is not sufficient to enable him to supply, pursuant to paragraphs (a) and (b) of this section, each unequipped retail dealer to whom he supplied anthracite in the base period, with the appropriate monthly portion of the base period tonnage, as adjusted, of each such unequipped retail dealer, such equipped retail dealer shall, during that month, apply a uniform percentage of reduction in shipments to each of his unequipped retail dealers.

(d) If in any calendar month during the period April 1, 1944 to March 31, 1945, inclusive, an unequipped retail dealer fails to send trucks to the yard of the equipped retail dealer to receive his proportionate share of the available tonnage of the equipped retail dealer with whom he has an established base period tonnage, such equipped retail dealer may, subject to the restrictions of applicable regulations, distribute to other unequipped retail dealers or to consumers a tonnage equivalent to such undelivered tonnage.

§ 602.340 *Method for establishing war veteran base period tonnage.* Notwithstanding other provisions of this regulation, any producer, wholesaler or other person may ship to any equipped or unequipped retail dealer who (1) has been honorably discharged from any of the armed forces of the United States, and (2) did not by reason of his service in any of the armed forces of the United States receive anthracite during each month of the base period, and (3) did not sell, transfer or assign his equipment and business, or either, to a person now engaged in the retail distribution of anthracite in the same community formerly served by such war veteran retail dealer, the same proportion of available tonnage up to, but not in excess of, $87\frac{1}{2}$ per cent of the anthracite shipped by him to such retail dealer during the 12-month period (hereinafter referred to as "war veteran's base period tonnage") immediately preceding the cessation of retail dealer activities because of the entrance of such retail dealer into the armed forces of the United States. If the producer or wholesaler and the war veteran retail dealer differ as to the amount of anthracite shipped to such retail dealer during his war veteran's base period, or if such retail dealer believes that his war veteran's base period tonnage figure should be adjusted, application may be made to the appropriate Regional Representative of the SFAW for determination of the war veteran's proper base period tonnage figure. The Regional Representative will immediately consider the information presented to him by the producer, wholesaler or war veteran dealer and recommend to SFAW the war veteran's base period tonnage to be established for such dealer. Pending the establishment by SFAW of such war veteran's base period tonnage figure, such war veteran retail dealer may obtain from any producer or wholesaler during any calendar month $\frac{1}{2}$ of the tonnage shown by the producer's or wholesaler's records to have

been shipped to such war veteran retail dealer during the twelve months preceding the commencement of his service in the armed forces.

§ 602.341 *Receipts by retail dealers and persons receiving anthracite by truck restricted.* Except as provided in paragraphs (a) (2), (a) (3) and (d) (2) of § 602.336 and paragraph (e) of § 602.338, no retail dealer and no person who receives anthracite by truck from a mine or preparation plant pursuant to § 602.336 (d) may receive (a) from all sources combined a tonnage of anthracite which either exceeds $87\frac{1}{2}$ per cent of the sum of his base period tonnages, as adjusted, established between such retail dealer or person and each of the producers, wholesalers or equipped retail dealers who supplied him during the base period or (b) any anthracite which a producer, wholesaler or equipped retail dealer is not authorized to ship under this regulation. In respect to producers, wholesalers and retail dealers who, in accordance with this regulation, had available tonnage sufficient to ship to their trade generally prior to August 1, 1944 at a rate in excess of $87\frac{1}{2}$ per cent of the base period tonnage, such tonnage shipped during the period April 1, 1944 to July 31, 1944, inclusive, in excess of $\frac{1}{2}$ of $87\frac{1}{2}$ per cent of the base period tonnage, as adjusted, but not in excess of $\frac{1}{2}$ of 90 per cent of the base period tonnage, as adjusted, shall not be taken into account in computing the maximum permissible tonnage to be shipped pursuant to this paragraph.

No retail dealer may receive anthracite except on condition that he will distribute it in accordance with SFAW Regulation No. 17, or other applicable regulations of SFAW.

§ 602.342 *Retail dealers required to augment their anthracite supply with other solid fuels.* It is the obligation of retail dealers who receive anthracite under this regulation to take all reasonable and necessary steps to augment their anthracite supply with other solid fuels to the extent necessary to assure that the minimum essential solid fuels requirements of the communities which they serve will be met. For this purpose, each retail dealer individually and the retail dealers collectively at any destination shall promptly make arrangements for the receipt in the spring, summer and fall of a substantial part of the other solid fuels which may be needed to avoid hardship during any part of the year April 1, 1944 to March 31, 1945, inclusive.

§ 602.343 *Restrictions upon distribution by producers and wholesalers of anthracite for industrial use or production of power.* (a) During the period April 1, 1944 to March 31, 1945, inclusive, no producer or wholesaler may ship to any person and no person may acquire from all sources combined, anthracite for use in an industrial process or for the production of power or for space heating which is incidental thereto, in an amount which, when added to the anthracite in the possession or under the control of such person, exceeds the consumption re-

quirements of such person for such purpose for a period of ninety days from the date of such shipment.

(b) During the period April 1, 1944 to March 31, 1945, inclusive, no producer, wholesaler or retail dealer may ship anthracite to any person in Canada for use in an industrial process or for the production of power or for space heating which is incidental thereto, in an amount which, when added to the anthracite in the possession or under the control of the person acquiring anthracite for such purpose, exceeds the consumption requirements of such person for such purpose for a period of ninety days from the date of such shipment: *Provided*, That the total of such shipments made during the period April 1, 1944 to March 31, 1945, inclusive, shall not exceed 87½ per cent of the consumption requirements of such person for such purpose during that period.

§ 602.344 *Restrictions upon distribution of excludable tonnage by producers and wholesalers.* (a) Unless required by § 602.336 of this regulation to make shipments out of the available tonnage of anthracite to a particular equipped retail dealer or to a particular person who receives anthracite by truck from a mine or preparation plant, a producer or wholesaler shall not ship any category of excludable tonnage to such an equipped retail dealer or person without first obtaining the written permission of SFAW.

(b) During the period April 1, 1944 to March 31, 1945, inclusive, no producer or wholesaler may ship any category of excludable tonnage to any equipped retail dealer or to any person who receives anthracite by truck from a mine or preparation plant pursuant to § 602.336 (d) of this regulation in excess of the total of any category of excludable tonnage shipped by such producer or wholesaler to such equipped retail dealer or person during the period April 1, 1943 to March 31, 1944, inclusive, unless and until the producer or wholesaler has been notified by SFAW that (1) the retail dealer has filed a written statement in duplicate with the appropriate Regional Representative of SFAW, setting forth, among other things, the name and address of the consumer who claims to need the increased tonnage; the use to which such anthracite will be put; the tonnage of each size required; and the name and address of the producer or wholesaler that will supply the coal; and (2) SFAW has authorized the shipment of such tonnage.

§ 602.345 *Distribution by producers or wholesalers to consumers other than mine employees and consumers on local sales in the producing regions.* A producer or wholesaler may ship anthracite to a consumer (other than mine employees and consumers on local sales in the producing region) in amounts limited to what the consumer may receive pursuant to the provisions of SFAW Regulation No. 17; *Provided, however*, That the restrictions of § 602.304 (a) of that regulation shall not apply to rail shipments to consumers whose annual re-

quirements amount to only one railroad car and who customarily receive anthracite in a railroad car lot. Each producer and wholesaler who ships or delivers anthracite to a consumer shall obtain from such consumer a Consumer Declaration upon the form prescribed by SFAW Regulation No. 17 and in accordance with the provisions thereof.

§ 602.346 *Producers and wholesalers to advise retail dealers of base period tonnages and adjustments.* (a) Each producer and wholesaler on or before the 25th day of April 1944 shall notify each retail dealer to whom he made shipments during the base period of the actual tonnage of anthracite—except No. 2 buckwheat (rice)—shipped during the base period including any adjustments thereof approved by SFAW. One copy of such notice shall be forwarded to the Regional Representative of SFAW for the region in which the dealer has his place of business and one copy of such notice shall be forwarded to the Solid Fuels Administration for War, Washington 25, D. C. The figures shown on such notification shall be subject to review, and may be increased or decreased, by SFAW.

(b) Each producer and wholesaler, on or before the 25th day of June, 1944, shall notify each retail dealer to whom he made shipments during the base period of the actual tonnage of No. 2 buckwheat (rice) shipped during the base period. One copy of such notice shall be forwarded to the Regional Representative of SFAW for the region in which the dealer has his place of business, and one copy of such notice shall be forwarded to the Solid Fuels Administration for War, Washington 25, D. C. The figures shown on such notification may be increased by SFAW upon approval of an application filed pursuant to § 602.349.

§ 602.347 *Information to be furnished by producers and wholesalers to SFAW.* (a) Each producer and wholesaler shall, on forms prescribed by SFAW, report in writing to Solid Fuels Administration for War, Washington 25, D. C., on or before the 10th day of May 1944 and the 10th day of each month thereafter, (1) the actual tonnage produced, prepared or purchased and the actual tonnage shipped during the preceding full calendar month, and (2) the actual tonnage produced, prepared or purchased and actual tonnage shipped shown cumulatively from April 1, 1944 to the end of that same calendar month. The report shall set forth the tonnages of broken, egg, stove, chestnut and pea as a single total covering the domestic sizes and separately set forth the tonnage of No. 1 buckwheat. The report shall also set forth as a separate total the tonnage of No. 2 buckwheat (rice).

(b) From the information contained in the reports required by paragraph (a) of this section, SFAW shall publish once each month figures showing the excess tonnage and the deficiency in tonnage of each producer and each wholesaler in sufficient detail to enable all producers, wholesalers and retail dealers to do their

part in carrying out the purposes and provisions of this regulation.

(c) Each producer and wholesaler, on or before the 10th day of May 1944 and the 10th day of each month thereafter, shall report in writing to the Solid Fuels Administration for War, Washington 25, D. C., the tonnage of anthracite shipped during the preceding calendar month to each of the States, Canadian Provinces and key city destinations designated by SFAW and shall certify that the reporting producer or wholesaler is complying strictly with the requirements of this regulation. Such report shall be on a form prescribed by SFAW.

(d) On or before April 25, 1944, each producer and wholesaler shall file with Solid Fuels Administration for War, Washington 25, D. C., an estimate, as accurate as it can be, of the total number of tons of anthracite which will be required under this regulation during the period April 1, 1944 to March 31, 1945, inclusive, for (1) mine employees, (2) deliveries on local sales in the producing region, and (3) distribution by producers to timber truckers, as more fully provided in §§ 602.333, 602.334 and 602.335, respectively.

(e) Not later than the date specified in this paragraph, each producer, wholesaler and lake dock operator shall file with the Solid Fuels Administration for War, Washington 25, D. C., on forms prescribed by it, detailed information and data with respect to the production, inventories, purchases and distribution of anthracite for the periods indicated below:

(1) Not later than October 15, 1944, for the period April 1, 1944 to September 30, 1944, inclusive;

(2) Not later than April 15, 1945 for the period April 1, 1944 to March 31, 1945, inclusive.

§ 602.348 *Review of base period tonnage adjustments.* SFAW will review increases in base period tonnages previously authorized and will make such downward adjustments as are appropriate in order more effectively to secure an equitable distribution of the available supply of anthracite.

§ 602.349 *Adjustments of base period tonnage of No. 2 Buckwheat (Rice).* SFAW will grant an equitable upward adjustment of the base period tonnage of No. 2 buckwheat (rice) of any retail dealer in the United States, or any person who receives anthracite by truck from a mine or preparation plant pursuant to § 602.336 (d) of this regulation, who demonstrates that (a) he received less tonnage of this size during the period April 1, 1943 to March 31, 1944 than he received during the corresponding period April 1, 1942 to March 31, 1943, and (b) unless his base period tonnage of this size is adjusted upward hardship will result to consumers who need this size in automatic stokers and whom he supplies with this size in the community he serves. Applications for such adjustments shall be filed in triplicate prior to October 1, 1944 with the Regional Representative of SFAW for the region in which the retail dealer has his place of business.

§ 602.350 *Transfers of base period tonnage.* (a) If SFAW determines that a producer or wholesaler has discontinued business or has ceased to make shipments of anthracite to the retail dealers to whom he made shipments during the base period, SFAW, after considering the recommendation of the National Anthracite Distribution Committee, may direct any producer or wholesaler to make shipments of anthracite to all or any of the retail dealers who fail to receive shipments of anthracite by reason of the circumstances recited in this paragraph.

(b) If an equipped retail dealer discontinues business, each producer or wholesaler who supplied such retail dealer with anthracite in the base period shall promptly notify in writing SFAW, which, after consulting the producers or wholesalers supplying such retail dealer, may transfer the base period tonnage, as adjusted, established between such producer or wholesaler and such retail dealer, to another retail dealer or other retail dealers located at or near the same destination and authorize or direct such producers or wholesalers to make shipments to such other retail dealer or dealers.

§ 602.351 *Producers or wholesalers without a base period tonnage.* On and after January 1, 1945, no producer or wholesaler who does not have an established base period tonnage with one or more retail dealers shall make shipments of anthracite without first obtaining written permission of SFAW. Permission to ship anthracite to deficient wholesalers will be granted any such producer or wholesaler who files an application setting forth his name, address, and, if the applicant is a corporation, the names and addresses of the principal officers of such corporation, and the source or sources of the anthracite which the applicant expects to distribute. Said application must be accompanied by a statement from one or more producers or wholesalers who have an established base period tonnage with one or more retail dealers, stating that said producer or wholesaler will purchase anthracite from the applicant and will distribute it in accordance with applicable regulations.

§ 602.352 *Action under other regulations.* (a) Nothing contained in this regulation shall be deemed to preclude SFAW from taking appropriate action under SFAW Regulation No. 1, as amended or revised, or under any other regulation heretofore or hereafter issued.

(b) Directions heretofore or hereafter issued by SFAW, prohibiting or requiring shipment of any anthracite, shall be complied with notwithstanding provisions of this regulation.

§ 602.353 *Evasion prohibited.* Persons are prohibited from evading any of the provisions of this regulation through a reincorporation, reorganization, arrangement or device of any kind occurring prior or subsequent to the effective date of this regulation, and the successor in interest of any person shall be deemed fully bound by the provisions of this reg-

ulation with the same force and effect as though the predecessor had remained in existence. No person subject to this regulation shall change his method of doing business for the purpose of evading any of the provisions of this regulation and no such person shall continue any such evasive practice which may have been entered into subsequent to April 1, 1943. Any person who has any doubts concerning the applicability of this section to his business activities should forthwith make written inquiry of the General Counsel of the Solid Fuels Administration for War, Washington 25, D. C.

§ 602.354 *National Anthracite Distribution Committee; Supply and Distribution Subcommittee; Regional Anthracite Distribution Committee.* (a) The National Anthracite Distribution Committee shall continue to advise with and make recommendations to SFAW with reference to matters of general policy and administration under this regulation. The Committee shall consist of: five representatives of the producers, at least one of whom shall be from each of the three anthracite-producing regions (Wyoming, Lehigh and Schuylkill), two representatives of the wholesalers and three representatives of retail dealers and such other members of the solid fuels industry as the Solid Fuels Administrator for War may from time to time appoint.

(b) The Chairman of the National Anthracite Distribution Committee shall, with the approval of SFAW, appoint from the membership of said committee a subcommittee composed of any four members representing producers and wholesalers, which subcommittee shall be known as the Subcommittee on Supply and Distribution. It shall be the function of such subcommittee each month to recommend to the National Anthracite Distribution Committee the distribution of excess tonnage, if any, which should be made in order to carry out the purposes and provisions of this regulation, and the National Anthracite Distribution Committee shall, as soon as feasible thereafter, submit to SFAW its recommendations with regard to the distribution of excess tonnage which should be made.

(c) The Regional Anthracite Distribution Committee created for each of the regions defined and set forth in Appendix A, attached hereto, and made a part hereof, shall continue to advise with and make recommendations to SFAW with reference to the administration of the provisions of this regulation for their respective regions. Each such committee shall continue to consist of two producers, one wholesaler, and two retail dealers appointed by the Solid Fuels Administrator for War. Recommendations of the Regional Anthracite Distribution Committees in respect to matters of general policy or such other matters as may be specified by SFAW may be referred by SFAW to the National Anthracite Distribution Committee for its consideration and recommendation to SFAW.

§ 602.355 *Reports.* Each person participating in any transaction to which any portion of this regulation applies

shall execute and file with SFAW reports and questionnaires on forms to be designated from time to time by SFAW.

All reporting requirements of this regulation have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942 and regulations issued thereunder.

§ 602.356 *Records.* Each person participating in any transaction to which any portion of this regulation applies shall keep and preserve for a period of two years accurate and complete records of all the details of all such transactions.

§ 602.357 *Audit and inspection.* All records required to be kept by this regulation shall, upon request, be submitted for inspection, copy and audit by any duly authorized representative of SFAW.

§ 602.358 *Damages for breach of contract.* No person shall be held liable under any contract for damages or penalties for any default which shall result directly or indirectly from compliance with this regulation.

§ 602.359 *Violations.* (a) It is a violation of this regulation for a producer, wholesaler or equipped retail dealer to condition his required or permissible shipments to any person upon the performance by such other person of an act which violates this regulation or any other applicable law of the United States.

(b) Any person who violates any provision of this regulation or who by any statement or omission, wilfully falsifies any records which he is required to keep, or who otherwise wilfully furnishes false or misleading information to SFAW, and any person who obtains a delivery of anthracite by means of a wilfully false or misleading statement may be precluded in whole or in part from shipping or receiving anthracite and may be prohibited from delivering or receiving any material under priority control. SFAW may also take any other action deemed appropriate, including the making of a recommendation for prosecution under section 35 (A) of the Criminal Code (18 U.S.C. Sec. 80 (any person found guilty of violating that statute may be fined not more than \$10,000 or imprisoned for not more than ten years, or both)); or under the Second War Powers Act (50 U.S.C. 633 (any person found guilty of violating that statute may be fined not more than \$10,000 or imprisoned for not more than one year, or both)).

§ 602.360 *Applications for modification and exception; inquiries and communications.* (a) Any application for modification of or exception from any provision of this regulation shall be filed in triplicate with the Solid Fuels Administration for War, Washington 25, D. C. The application shall set forth, in detail, the provisions sought to be modified or from which an exception is sought, and the reasons and data in support of such request for modification or exception.

(b) All complaints, inquiries and communications with reference to the administration of this regulation shall be addressed to the Regional Office of

SFAW for the area primarily concerned with such complaint, inquiry or communication, or to the Solid Fuels Administration for War, Washington 25, D. C.

(c) The Washington Office of SFAW may refer applications for modification of or exception from the provisions of this regulation or any complaints, inquiries and communications relating to the administration of the regulation, to the appropriate Regional Office of SFAW for advice and recommendation.

§ 602.361 *Official interpretations.* No interpretation of this regulation is authorized or official unless it is in writing and signed by the Administrator, the Deputy Administrator, or the General Counsel of SFAW.

Regulations revoked hereby. SFAW Revised Regulation No. 2, as amended, and SFAW Regulation No. 18, as amended, are hereby revoked: *Provided, however,* That civil or criminal liabilities resulting from violations of those regulations shall not be affected by this revocation.

Short title. This regulation may be cited as SFAW Revised Regulation No. 18.

This regulation shall take effect at 12:01 a. m. on the date of issuance.

Issued this 27th day of December, 1944.

HAROLD C. ICKES,
Solid Fuels Administrator for War.

APPENDIX A

Regional Anthracite Distribution Committees have been established for each of the following regions:

Region No. 1. New York City and Westchester, Nassau and Suffolk Counties.

Region No. 2. New York, excluding that portion of the State described as being included in Region No. 1.

Region No. 3. New Jersey.

Region No. 4. Pennsylvania.

Region No. 5. Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.

Region No. 6. Delaware, Maryland, Virginia, and the District of Columbia.

[F. R. Doc. 44-19681; Filed, Dec. 28, 1944; 10:42 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 1042—IMPORTS OF STRATEGIC MATERIALS¹

[General Imports Order M-63,² as Amended Dec. 28, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of cer-

tain imported materials for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1042.1 *General Imports Order M-63—(a) Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether or not incorporated.

(2) "Owner" of any material means any person who has any property interest in such material except a person whose interest is held solely as security for the payment of money.

(3) "Consignee" means the person to whom a material is consigned at the time of importation.

(4) "Import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States (including the Philippine Islands). It includes shipments into a free port, free zone, or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States and shipments in bond into the continental United States for transshipment to Canada, Mexico, or any other foreign country.

(5) "Place of initial storage" means any warehouse, yard ground storage, or other place, to which the person making the entry or withdrawal from custody of the United States Bureau of Customs of material imported subject to this order directs or has directed that such material be transported from the port of entry to be held until disposed of pursuant to this order.

(6) Material shall be deemed "in transit" if it is afloat, if an on board ocean bill of lading has actually been issued with respect to it, or if it has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States.

(7) "Governing date" with respect to any material means the date when such material first became subject to General Imports Order M-63.

(b) *Restrictions on imports of materials—(1) General restriction.* No person, except as authorized in writing by the War Production Board, shall purchase for import, import, offer to purchase for import, receive, or offer to receive on consignment for import, or make any contract or other arrangement for the importing of, any material subject to this order after the governing date. The foregoing restrictions shall apply to the importation of any material subject to the order, regardless of the existence on the governing date or thereafter of any contract or other arrangement for the importation of such material. The materials subject to this order are those listed from time to time upon List I, List II, and List III attached hereto.

(2) *Authorization by War Production Board.* Any person desiring such authorization, whether owner, purchaser, seller, or consignee of the material to be imported, or agent of any of

them, shall make application therefor in duplicate on Form WPB-1041 (formerly PD-222C) addressed to the War Production Board, Ref.: M-63, Washington 25, D. C. Unless otherwise expressly permitted, such authorization shall apply only to the particular material and shipment mentioned therein and to the persons and their agents concerned with such shipment; it shall not be assignable or transferable either in whole or in part.

(3) *Restrictions on financing of imports.* No bank or other person shall participate, by financing or otherwise, in any arrangement which such bank or person knows or has reason to know involves the importation after the governing date of any material subject to this order, unless such bank or person either has received a copy of the authorization issued by the War Production Board under the provisions of paragraph (b) (2) or is satisfied from known facts that the proposed transaction comes within the exceptions set forth in paragraph (b) (4).

(4) *Exceptions.* Unless otherwise directed by the War Production Board, the restrictions set forth in this paragraph (b) shall not apply:

(i) To the Foreign Economic Administration, U. S. Commercial Company, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, or any agent acting for any such department, agency or corporation; or

(ii) To any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, or to any material which the owner at the time of importation had purchased or otherwise acquired from any United States governmental department, agency or corporation; or

(iii) To any material which on the governing date was in transit to a point within the continental United States.

(iv) [Deleted Mar. 30, 1944]

(v) To any material consigned as a gift or imported for personal use where the value of each consignment or shipment is less than \$100.00; or to any material consigned or imported as a sample where the value of each consignment or shipment is less than \$25.00; or to any used material in the category of household goods imported by the owner for his own personal use; or

(vi) To materials consigned as gifts for personal use by or to members of the Armed Services of the United States; or

(vii) [Deleted No. 13, 1944.]

(viii) To manufactured materials which are imported in bond solely for the purpose of having them repaired and then returned to the owner outside the continental United States; or

(ix) To materials which were grown, produced, or manufactured in the continental United States, and which were shipped outside the continental United States on consignment or pursuant to a contract of purchase, and which are now returned as rejected by the prospective purchaser; or

¹ Certain food items formerly on Lists I, II, and III are now subject to import control in accordance with War Food Administration Order 63.

² See also War Food Order 63, this issue.

(x) To materials shipped into the United States in transit from one point in Mexico to another point in Mexico, or from one point in Canada to another point in Canada.

(xi) To materials on List III which are located in, and are the growth, production, or manufacture of, and are transported into the Continental United States overland, by air, or by inland waterway from Canada, Mexico, Guatemala or El Salvador.

(c) *Restrictions on disposition of List I material.* Except as hereinafter specifically provided in paragraph (d) hereof:

(1) *Restrictions upon owners and consignees.* No owner or consignee of any material on List I which is imported after the governing date shall in any way, directly or indirectly:

(i) Dispose of any interest in such material;

(ii) Process or in any way change the physical condition of such material;

(iii) Transfer possession, or cause or permit a transfer of possession, of such material except to the port of entry and from the port of entry to the place of initial storage of such material; or

(iv) Change or cause or permit a change of, the location of such material except to the port of entry and from the port of entry to the place of initial storage of such material.

Provided: That a consignee of such material may dispose of his interest in such material to the extent necessary to complete any commitment or contract made prior to the governing date. The person to whom he disposes of such interest shall be subject to all restrictions imposed upon owners by this order.

(2) *Restrictions upon banks and persons similarly situated.* No bank or other person which, as agent, pledgee, beneficiary under a trust receipt, or otherwise, has possession of or any interest in any written instrument evidencing any interest in any material on List I shall in any way, directly or indirectly, dispose of any such interest, or transfer possession, or cause or permit a transfer of possession, of such instrument, unless:

(i) Such material was imported before the governing date; or

(ii) Such person neither knows nor has reason to know that such material was imported after the governing date; or

(iii) Such disposition or transfer is necessary to permit a consignee to make a permissible disposition of material in accordance with subparagraph (1) of this paragraph (c); or

(iv) Such disposition or transfer is made to the owner of the material and such owner has complied with all the provisions of this order.

(d) *Permissible disposition of List I materials*—(1) *Transfer to governmental agency.* Nothing contained in this order shall prohibit an owner or consignee of any material on List I imported after the governing date, or a bank or other person having possession

of, or an interest in, a written instrument evidencing an interest in such material, from disposing of, or making any arrangement to dispose of, any interest in such material to the Foreign Economic Administration, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation.

(2) *Authorization by War Production Board.* Notwithstanding the provisions of paragraph (c), an owner or consignee of material on List I imported after the governing date or a bank or other person having possession of or an interest in a written instrument evidencing an interest in such material, may process such material or may dispose of any interest in such material or any such written instrument, or transfer possession or change the location thereof, or cause or permit such a transfer of possession or change of location, upon written authorization by the War Production Board. Any such person may make application in duplicate for such an authorization on Form WPB-1039 (formerly PD-222A), which form shall be addressed to the War Production Board, Ref.: M-63, Washington 25, D. C.

(3) *Exceptions.* The restrictions set forth in paragraph (c) shall not apply to any material after any United States governmental department, agency, or corporation becomes the owner thereof, and shall not apply to any material of which any United States governmental department, agency, or corporation is the owner at the time of importation, and shall not apply to any material purchased or otherwise acquired from any United States governmental department agency, or corporation.

(e) *Restrictions on disposition of List II or List III material.* Unless otherwise provided by the terms of the authorization issued pursuant to paragraph (b) (2), any material on List II or List III, which is imported in accordance with the provisions of this order after the governing date, may be sold, delivered, processed, consumed, purchased, or received without restriction under this order, but all such transactions shall be subject to all applicable provisions of the regulations of the War Production Board and to all orders and directions of the War Production Board which now or hereafter may be in effect with respect to such material.

(f) *Reports*—(1) *Reports on customs entry.* No material which is imported after the governing date, including materials imported by or for the account of the Foreign Economic Administration, U. S. Commercial Company, Commodity Credit Corporation, Metals Reserve Company, Defense Supplies Corporation, or any other United States governmental department, agency, or corporation, shall be entered through the United States Bureau of Customs for any purpose, whether for consumption, for warehouse, in transit, in bond, for re-export, for appraisal, or otherwise, unless the person

making the entry shall file with the entry Form WPB-1040 (formerly PD-222B) in duplicate except in the case of a material described in paragraph (b) (4) (xi) when the person making the entry need not file with the entry Form WPB-1040 (formerly PD-222b). The filing of such form a second time shall not be required upon any subsequent entry of such material through the United States Bureau of Customs for any purpose; nor shall the filing of such form be required upon the withdrawal of any material from bonded custody of the United States Bureau of Customs, regardless of the date when such material was first transported into the continental United States. Both copies of such form shall be transmitted by the Collector of Customs to the War Production Board, Division of Stockpiling and Transportation, Ref.: M-63, Washington 25, D. C.

(2) *Other reports.* All persons having any interest in, or taking any action with respect to, any material imported after the governing date, whether as owner, agent, consignee, or otherwise, shall file such other reports as may be required from time to time by the War Production Board.

(3) *Exceptions.* The provisions of this paragraph (f) shall not apply to materials imported and consigned as gifts for personal use by or to members of the Armed Services of the United States.

(g) *Routing of communications.* All communications concerning this order shall, unless otherwise herein directed, be addressed to: War Production Board, Washington 25, D. C., Ref.: M-63.

(h) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority assistance. In addition, the War Production Board may direct the disposition and use of any material which is imported without authorization as required by paragraph (b).

(i) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(j) *Effect on liability of removal of material from order.* The removal of any material from the order shall not be construed to affect in any way any liability for violation of the order which accrued or was incurred prior to the date of removal.

Issued this 28th day of December 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST I

NOTE: List I amended Dec. 28, 1944.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.

Material	Com- merce Import Class No.	Govern- ing date
Brazilian pebble (quartz crystals), unmanufactured	5120.000	10/3/42
Brazilian pebble (quartz crystals) manufactured and semimanufactured in blanks, slabs, bars, etc.	N. S. C.	10/3/42
Broomcorn	2938.000	11/23/42
Chrome ore (Chromite)	6213.100	12/23/41
	6213.300	12/23/41
	6213.500	12/23/41
Feathers for beds (including geese and duck feathers and down, and mixtures thereof, new and used)	0922.200	6/23/43
Manganese ore (including ferruginous) or concentrates, and manganeseiferous iron ore, containing 35 percent and over of manganese	6211.200	5/14/43
	6211.300	5/14/43

* Moved from List II 5/14/43.

N. S. C.—No separate class or commodity number has been assigned for the material as described by the Department of Commerce, Statistical Classification of Imports.

LIST II

NOTE: List II amended Dec. 28, 1944.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.

Material	Com- merce Import Class No.	Govern- ing date
Agave fibers, unmanufactured, not elsewhere specified on this order (except flume tow and bagasse waste)	N. S. C.	8/5/43
Agave manufactures and semi-manufactures:		
Sisal cordage, including cables, tarred or untarred composed of 3 or more strands, each strand composed of 2 or more yarns	3417.010	1/18/43
	3417.110	1/18/43
Carpet yarns of agave, dyed or undyed	N. S. C.	1/7/42
Cordage of agave fibers, other than sisal	N. S. C.	1/18/43
Cords and twines of agave fibers	N. S. C.	1/18/43
Fabrics woven of agave fibers	N. S. C.	1/9/42
Other manufactures (including all products in whole or in part of agave fibers)	N. S. C.	1/18/43
Alpargatas	0363.500	6/23/43
Asbestos, unmanufactured (originating in Rhodesia or Union of South Africa)	5500.010	1/13/42
	5500.020	1/13/42
	5500.300	1/13/42
	5500.500	1/13/42
	5501.000	1/13/42
	5501.100	1/13/42
	5502.100	1/13/42
Beryl ore or beryllium ore	6270.000	5/4/42
Beryllium oxide, carbonate and other beryllium salts	8380.000	5/4/42
Bones, crude	0911.200	6/7/42
Bristles, hog and pig	0917.000	3/14/42
	0919.100	3/14/42

See footnotes at end of table.

LIST II—Continued

Material	Com- merce Import Class No.	Govern- ing date
Brushes, n. s. p. f.:		
Paint brushes (including artists)	0715.100	10/2/43
Other (except toilet brushes and hair pencils)	0715.000	10/2/43
Cattle, ox, and calf tail hair including switches	2003.100	7/2/42
Cinchona bark or other bark from which quinine may be extracted	2201.000	1/5/42
Coin yarn	2420.000	11/23/42
Coin manufactures, other than pile mats, floor coverings, matting, etc.	N. S. C.	11/23/42
Copper	0401.800	12/23/41
	0417.100	3/14/42
	0420.000	3/14/42
	0418.000	6/7/42
Corundum in grains, or ground, pulverized or refined	N. S. C.	5/22/42
Corundum ore	0403.000	5/22/42
Cotton yarns and fabrics:		
Cotton roys for spinning mules	N. S. C.	11/23/42
Grey tracing cloth fabric	N. S. C.	11/23/42
Tracing cloth	2700.000	8/21/42
Typewriter ribbon fabric	N. S. C.	8/21/42
Diamonds, rough or uncut (suitable for cutting into gem stones)	0920.000	9/12/44
Diamonds, industrial (rough or uncut, not advanced in condition or value by cleaving, splitting, cutting, boring, or other process):		
Carbonado and ballies	0932.100	9/12/44
Diamond dust	0932.000	9/12/44
Bert (Glaziers' and engravers' diamonds, not set, and miners' diamonds, n. s. e., and other industrial diamonds)	0932.700	9/12/44
Emetine and salts thereof	N. S. C.	12/2/43
Fish liver oil, n. s. e. (include half-but-liver oil)	2220.200	1/12/44
Graphite or plumbago:		
Amorphous, natural (except of Mexican origin)	0703.100	1/2/42
Crystalline flake	0703.000	1/2/42
Crystalline, crucible lump and chip graphite	0703.010	1/2/42
Crystalline, dust and other crystalline lump and chip graphite	0703.020	1/2/42
Hair, curled	0203.000	9/23/44
Hemp (Cannabis Sativa type only) unmanufactured:		
Hacked including "line of hemp"	8203.000	10/11/42
Not hacked	8203.200	10/11/42
Tow	8203.300	10/11/42
Hides and skins:		
Buffalo hides, dry and wet	0203.000	1/12/42
	0203.100	1/12/42
Buffalo hides (India water buffalo, for use in rawhide articles) dry and wet	0203.000	9/12/44
	0203.100	9/12/44
Cabretskins or bairsheepskins	0203.000	1/12/42
Calf, dry and wet	0203.000	1/12/42
Oatle hides, dry and wet	0203.000	1/12/42
Deer; buck or doe	0203.000	1/12/42
Goat and kid skins, dry and wet	0203.000	1/12/42
Kip, dry and wet	0203.000	1/12/42
Horse mane and tail hair, raw and drawn, including switches	0204.000	3/14/42
	0204.100	3/14/42
Ipecac, crude and advanced in value or condition	2210.400	1/12/43
	2210.170	1/12/43
Iron and steel scrap, fit only for remanufacture	0504.000	6/1/42
	0504.100	6/1/42
Isle or tampele fiber, manufactured in whole or in part (dressed)	2410.010	3/5/43
Isle or tampele fiber manufactures (incl. all products in whole or in part of isle)	N. S. C.	11/23/42
Isle or tampele fiber, unmanufactured (including isle waste)	2415.000	2/14/42
Jewels, for any movement, mechanism, device or instrument dutiable under paragraphs 267 and 268 of the Tariff Act of 1930, or any meter or compass (jewel bearings)	0509.000	1/12/44
Jute and manufactures:		
Waste bagging and waste ruger sack cloth	2213.000	6/12/43
Jute yarns or roving, single	2214.000	6/12/43
	2214.100	6/12/43
	2214.200	6/12/43
	2214.300	6/12/43

LIST II—Continued

Material	Com- merce Import Class No.	Govern- ing date
Jute and manufactures—Con.		
Jute cordage, twine and twist of 2 or more yarns twisted together, size of single yarn or roving		
Not bleached, dyed or otherwise treated	3215.000	6/12/43
	3215.300	6/12/43
	3215.400	6/12/43
	3215.500	6/12/43
Bleached, dyed or otherwise treated		
	3215.200	6/12/43
	3215.350	6/12/43
	3215.450	6/12/43
	3215.550	6/12/43
Bagging for cotton, gunny cloth, etc., of single yarns, not bleached, colored, or printed, not exceeding 16 threads in warp and filling to the square inch, or jute or other vegetable fiber	3215.000	6/12/43
	3215.100	6/12/43
Burlap and other woven fabrics wholly of jute, n. s. p. f.	3217.000	6/12/43
Plata woven fabrics of jute, weighing less than 4 ounces per square yard	3218.000	6/12/43
Woven fabrics of jute for padding or interlining exceeding 20 threads in warp and filling to the square inch, weighing from 4 1/2 to 12 ounces inclusive, per square yard	3219.100	6/12/43
Woven fabrics, n. s. p. f. in chief value but not wholly of jute	3219.200	6/12/43
Jute cloth	3220.000	6/12/43
Jute webbing, not exceeding 12 inches in width	3220.700	6/12/43
Jute manufactures, n. s. p. f.	3220.000	6/12/43
Jute bags or sacks	3220.600	4/2/43
	3220.100	4/2/43
Jute burlap, unmanufactured	3220.000	10/2/42
Jute, unmanufactured	3218.000	10/2/42
Kapok	2413.000	7/2/42
Leather, unmanufactured:		
Chamois leather	0303.200	7/2/42
	0303.800	7/2/42
	0303.000	7/2/42
	0303.000	7/2/42
Goatskin and kid skin leather (except vegetable-tanned)	0303.400	7/2/42
	0303.800	7/2/42
	0303.200	7/2/42
	0303.300	7/2/42
Leather made from hides or skins of cattle of the bovine species	0303.100	7/2/42
Leather made from hides or skins of animals of the equine species	N. S. C.	7/2/42
Rough tanned leather (incl. hide-tanned)	0303.000	7/2/42
Vegetable-tanned goat and sheepskins	0303.100	7/2/42
Sheep and lamb leather (including chevron and cabretta)	0302.000	7/2/42
Leather for shoe purposes	0302.100	7/2/42
	0302.200	7/2/42
Gloves and garment leather	0303.000	7/2/42
Leather n. s. p. f. cut into shoe uppers, vamp, or other forms	N. S. C.	7/2/42
Patent leather for the manufacture of footwear	N. S. C.	7/2/42
Grained, embossed, etc., or fancy leather	0303.400	7/2/42
Shivers, n. s. p. f.	0303.200	7/2/42
In the rough, in the white, crust or russet, partly finished or unfinished	N. S. C.	7/2/42
Other (except glove and garment)	0302.000	7/2/42
Leather products made in whole or in part of bovine, equine or goatskin leather:		
Aprons	N. S. C.	5/27/44
Belts, transmission	N. S. C.	5/27/44
Belts, designed to be worn on the person	N. S. C.	5/27/44
Chaps, work	N. S. C.	5/27/44
Flat leather goods	N. S. C.	5/27/44
Footwear (including slippers)	N. S. C.	5/27/44
Furniture	N. S. C.	5/27/44
Garments	N. S. C.	5/27/44
Handbags and purses	N. S. C.	5/27/44
Harness	N. S. C.	5/27/44
Horse collars	N. S. C.	5/27/44
Hydraulic, packing, mechanical, and textile leather products	N. S. C.	5/27/44
Leads and thongs	N. S. C.	5/27/44

List II—Continued

Material	Com- merce Import Class No.	Govern- ing date
Leather products made in whole or in part of bovine, equine or goatskin leather—Continued.		
Luggage and related articles (including suitcases, valises, satchels, traveling and overnight bags, hatboxes, trunks and other luggage; and boxes, caskets, chests, baskets, rolls, brief cases, golf bags, and other cases)		
Made wholly or in part of bovine leather.....	N. S. C.	8/5/43
Made wholly or in part of equine leather.....	N. S. C.	5/27/44
Made wholly or in part of goatskin leather.....	N. S. C.	5/27/44
Rifle scabbards, rifle slings, pistol holsters, and pistol belts.....	N. S. C.	5/27/44
Saddles and saddlery.....	N. S. C.	5/27/44
Suspenders.....	N. S. C.	5/27/44
Loofa (Luffa)-sponges.....	N. S. C.	8/21/42
Maguay or cantala, unmanufactured.....	3409.200	1/18/43
Mahogany, dressed (sawed and not further manufactured than planed, tongued, and grooved).....	4204.100	7/21/42
Mahogany logs.....	4031.000	7/2/42
Mahogany rough (not further manufactured than sawed).....	4202.100	7/21/42
Manilla or abaca cordage, including cables, tarred or untarred, composed of 3 or more strands, each strand composed of 2 or more yarns.....	3417.095	6/28/43
	3417.195	6/28/43
Manilla or abaca fiber (except T grade tow).....	3402.300	4/28/43
Manilla or abaca tow (T grade only).....	3402.600	4/28/43
Manilla or abaca fiber manufactures (incl. all manilla or abaca products).....	N. S. C.	4/28/43
Meshta fiber.....	N. S. C.	10/6/42
Metallic beryllium, caesium, lithium, and potassium.....	8380.870	5/4/42
Mica.....	5560.810	3/14/42
	5560.840	3/14/42
	5560.860	3/14/42
	5560.890	3/14/42
	5560.910	3/14/42
	5560.940	3/14/42
	5560.960	3/14/42
	5560.980	3/14/42
	5561.000	3/14/42
	5561.300	3/14/42
	5561.400	3/14/42
	5561.500	7/21/42
	5561.600	3/14/42
	5561.900	3/14/42
	5564.000	3/14/42
	5564.200	3/14/42
Milkweed.....	N. S. C.	6/7/42
Molasses and sugar sirup.....	1040.000	10/21/42
Pyrethrum on insect flowers.....	2202.000	10/21/42
Pyrethrum or insect flowers, advanced in value or condition.....	2220.310	10/21/42
Punga fiber.....	N. S. C.	3/5/43
Quebracho extract.....	2344.000	7/2/42
Quebracho wood.....	2305.000	7/2/42
Quinine salts or alkaloids from cinchona bark.....	8102.000	3/5/43
Quinine sulphate.....	8103.200	3/5/43
Quinine alkaloid.....		
Other salts and derivatives of quinine.....	8103.300	3/5/43
Cinchonidine and its salts.....	8103.400	3/5/43
Cinchonine and its salts.....	8103.500	3/5/43
Quinidine and its salts.....	8103.600	3/5/43
Totaquine and totaquine compounds.....	N. S. C.	3/5/43
Red squill.....	2210.650	10/21/42
Rotenone bearing roots (cube root (timbo or barbasco), derris and tuba), crude and advanced.....	2210.280	5/4/42
	2210.300	5/4/42
	2220.360	5/4/42
	2220.370	5/4/42
Shark-liver oil, including oil produced from dogfish livers, n. s. p. f.....	0608.730	1/12/44
Silk:		
Cocoons.....	3703.000	10/21/42
Partially manufactured silk, and silk noils exceeding 2 inches in length, not twisted or spun.....	3709.000	10/21/42
Raw silk in skeins, reeled from the cocoon, or re-reeled, not wound, doubled, twisted, or advanced.....	3702.000	10/21/42
Silk waste.....	3704.000	10/21/42
Wild silk or tussah.....	3702.100	10/21/42

See footnotes at end of table.

List II—Continued

Material	Com- merce Import Class No.	Govern- ing date
Silver:		
Ores, concentrates, and base bullion, valuable chiefly for silver content.....	6819.500	7/21/42
Bullion, refined.....	6819.600	7/21/42
Coin, foreign.....	6819.800	7/21/42
Sweepings and scrap, including silver sulphides.....	6819.100	7/21/42
Semiprocessed items, valuable chiefly for silver content.....	N. S. C.	7/21/42
Compounds, mixtures and salts, valuable chiefly for silver content.....	N. S. C.	7/21/42
Sisal and henequen, unmanufactured (except flume tow and bagasse waste).....	N. S. C.	1/18/43
Tantalum ore (tantalite).....	6270.400	1/8/42
Urena lobata fiber.....	N. S. C.	10/6/42
Yucca fiber.....	N. S. C.	3/5/43
Zinc blocks, pigs or slabs.....	6558.200	12/28/41

¹ Moved from List I 1/8/44.² Moved from List I 3/30/44.³ Moved from List I 3/30/44.⁴ Moved from List III 5/17/44.⁵ Moved from List I 11/13/44.⁶ Moved from List III 11/13/44.⁷ Moved from List I 12/28/44.

N. S. C.—No separate class or commodity number has been assigned for the material as described by the Department of Commerce, Statistical Classification of Imports.

List III

NOTE.—List III amended Dec. 28, 1944.

The numbers listed after the following materials are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (Issue of January 1, 1943). Materials are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control.

Material	Com- merce Import Class No.	Govern- ing date
Agave fiber processors' mill waste (including sisal and henequen processors' mill waste).....	N. S. C.	8/5/43
Agave flume tow and bagasse waste not elsewhere specified on this order.....	N. S. C.	8/5/43
Balata, Coquirana (crude and washed).....	N. S. C.	5/27/44
Balata, Massarunduba.....	N. S. C.	3/5/43
Balata, Peruvian chicken-wire.....	N. S. C.	5/27/44
Balata, Peruvian F. A. Q., white.....	N. S. C.	3/5/43
Balata, not elsewhere specified on the order.....	N. S. C.	10/1/44
Bone black, bone char, and blood char.....	0990.130	7/2/42
Casein or lactarene.....	0943.000	7/2/42
Congo gum copal.....	N. S. C.	1/12/44
Cotton linters (all grades).....	3005.000	7/2/42
Cotton, raw (all staple length).....	3001.000	7/2/42
	3003.000	7/2/42
	3003.700	7/2/42
	3003.800	7/2/42
	3006.350	7/2/42
Cotton waste.....		
Floor coverings:		
Pile mats and floor coverings of cocoa fiber (coir fiber).....	3060.100	10/21/42
Mating and articles of cocoa fiber (coir fiber) or rattan.....	3063.000	10/21/42
Glue sticks, not elsewhere specified.....	0930.900	8/5/43
Hide cuttings, raw.....	0930.500	7/2/42
Hide splits, limed, pickled or dried (suitable for manufacturing into leather).....	N. S. C.	1/12/44
Hides and skins:		
Horse, colt, and ass.....	0211.100	7/2/42
	0211.200	7/2/42
	0212.100	7/2/42
	0212.200	7/2/42
	0212.300	7/2/42
	0212.500	7/2/42
Sheep and Lambskins except Shearings, Cabrettas, etc.:.....		
Pickled skins, not split, no wool.....	0234.000	7/2/42
Pickled fleshers, split, flesh side.....	0234.100	7/2/42
Pickled skivers, split, grain side.....	0234.200	7/2/42

See footnotes at end of table.

List III—Continued

Material	Com- merce Import Class No.	Govern- ing date
Lignacoe oil or Bois de Rose.....	2250.270	7/2/42
Nitrates, Sodium and Potassium.....	8200.000	7/2/42
	8227.000	7/2/42
	8327.000	7/2/42
Ramie fiber or China grass, unmanufactured.....	3400.000	9/23/43
Sisal and henequen flume tow and bagasse waste.....	N. S. C.	1/18/43
Taploca, taploca flour, and cassava (including mandocin flour).....	1223.000	7/2/42
Wool, apparel, 40's or coarser, except on the skin.....	3506.000	7/2/42
	3507.100	7/2/42
	3507.200	7/2/42
	3507.300	7/2/42
	3508.000	7/2/42
	3509.100	7/2/42
	3509.200	7/2/42
	3509.300	7/2/42
Wool, apparel, finer than 44's, except on the skin.....	3520.000	7/2/42
	3521.100	7/2/42
	3521.200	7/2/42
	3521.300	7/2/42
	3522.000	7/2/42
	3523.100	7/2/42
	3523.200	7/2/42
	3523.300	7/2/42
	3524.000	7/2/42
	3525.100	7/2/42
	3525.200	7/2/42
	3525.300	7/2/42
Wool, carpet, except on the skin.....	3501.000	7/2/42
	3502.100	7/2/42
	3502.200	7/2/42
	3502.300	7/2/42

¹ Moved from List II 9/23/43.² Moved from List I 1/8/44.³ Moved from List I 3/30/44.

N. S. C.—No separate class or commodity number has been assigned for the material as described by the Department of Commerce, Statistical Classification of Imports.

INTERPRETATION 1

No authorization under paragraph (b) of the order is necessary for the release or withdrawal of materials on List II or List III from a free port, a free zone, or the bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States regardless of the date when such materials first entered such place. The actual importation, which is the subject of restriction under paragraph (b), is deemed to have occurred before the question of release or withdrawal arises. Also no authorization under paragraph (d) of the order is necessary for the subsequent disposition, processing, or shipment of such released or withdrawn List II and List III materials.

As to List I materials which are similarly situated, no authorization under paragraph (b) of the order is necessary for their release or withdrawal from free port, free zone, or bonded custody, but authorization under paragraph (d) of the order is necessary for their subsequent disposition, processing, or shipment unless they are shipped in bond to Canada, Mexico, or some other foreign country, in which event the foreign destination is deemed to be the place of initial storage as such term is used in the order; *Provided, however, That List I materials which are imported in bond after July 2, 1942, can be shipped to Mexico, Canada, or some other*

foreign country without the express authorization required under paragraph (d) only if the import application filed under paragraph (b) stated that the material was being imported for the purpose of such export shipment. (Issued June 30, 1942, and amended Sept. 23, 1943.)

INTERPRETATION 2

The following official interpretation is hereby issued by the War Production Board with respect to the meaning of the term "in transit" as defined in paragraph (a) (6) of General Imports Order M-63 (§ 1042.1) as amended:

By amendment dated December 17, 1942, the definition of material "in transit" was changed by adding the following clause, "or if it has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States." The question has been raised as to the meaning of the term as applied to a case where the material on the governing date had been delivered to and accepted by a rail, truck, or air carrier on a through bill of lading for transportation to a specified port and from thence by boat to a point within the continental United States.

The material in the stated case is not deemed to be in transit within the meaning of the term as used in the order. If the material is to be carried to the port of arrival in the continental United States by ship, the material must have been afloat, or on board ocean bill of lading must have been issued with respect to it, on the governing date in order for it to be considered as having been in transit on such date.

Material which has been delivered to and accepted by a rail, truck, or air carrier on the governing date for transportation to a point within the continental United States is deemed to be in transit within the meaning of the term as used in the order only when the transportation specified in the bill of lading issued by such carrier calls for delivery of the material at the port of arrival in the continental United States by rail, truck, or air carrier, not by ship. (Issued March 5, 1943.)

INTERPRETATION 3

When by amendment of the order a material already on List II or List III is moved to List I and hence becomes subject to the restrictions of paragraph (c) covering the disposition, processing, transfer, or change of location of such material, the governing date for the application of such restrictions is the effective date of the amendment by which the material was moved to List I and not the date when such material first became subject to General Imports Order M-63 (Issued May 14, 1943.)

[F. R. Doc. 44-19683; Filed, Dec. 28, 1944; 11:32 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM [Priorities Reg. 26]

COMPLIANCE WITH WMC REGULATIONS Correction

In Federal Register Document 44-19472, appearing on page 14929 of the issue for Wednesday, December 27, 1944, the section number should read "§ 944.47".

No. 259—3

Chapter XI—Office of Price Administration

PART 1429—POULTRY AND EGGS

[2d Rev. MPR 269]

POULTRY

Revised Maximum Price Regulation No. 269 is redesignated Second Revised Maximum Price Regulation No. 269 (Poultry) and is revised and amended to read as follows:

A statement of the considerations involved in the issuance of this regulation has been filed with the Division of the Federal Register.*

ARTICLE I—GENERAL SCOPE OF THE REGULATION

Sec.

- 1.1 What this regulation covers.
- 1.2 Where this regulation applies.
- 1.3 What this regulation prohibits.
- 1.4 What purchases, sales and deliveries are exempt from this regulation.
- 1.5 How this regulation applies to other price regulations and orders.
- 1.6 Transfer of business or stock in trade.
- 1.7 What this regulation permits.
- 1.8 Petitions for amendment.

ARTICLE II—POWERS DELEGATED TO REGIONAL ADMINISTRATORS

- 2.1 Adjustment of maximum prices for live and processed poultry.
- 2.2 Adoption of uniform maximum base prices for live poultry.
- 2.3 Adjustment of maximum base prices and markups and modification of definitions.
- 2.4 Establishment of local maximum base prices for special forms of processed poultry.

ARTICLE III—RECORDS, REPORTS, ENFORCEMENT PROVISIONS AND DEFINITIONS

- 3.1 Requirements to keep records and reports.
- 3.2 Licensing.
- 3.3 Suspension of license.
- 3.4 Penalties for violations.
- 3.5 Definitions.

ARTICLE IV—HOW TO CALCULATE MAXIMUM BASE PRICE

- 4.1 What "maximum base price" means.
- 4.2 Where the maximum base price applies.
- 4.3 How the seller determines where the maximum base price applies.
- 4.4 How the United States is zoned for the purpose of calculating maximum base prices.
- 4.5 How maximum base prices are calculated for all poultry items other than duck items.
- 4.6 How maximum base prices are calculated for all duck items.
- 4.7 Exceptions to the above general rules for calculating maximum base prices.
- 4.8 Calculation of prices.

ARTICLE V—TABLES SHOWING MAXIMUM BASE PRICES FOR POULTRY IN BASING POINT CITIES

- 5.1 General explanation.
- 5.2 Definition of basing point cities.
- 5.3 Application of grade, species, age and sex specifications.
- 5.4 Maximum base prices and requirements for live poultry items other than ducks.
- 5.5 Maximum base prices and requirements for dressed, hard-scalded, drawn and frozen-eviscerated poultry items other than ducks.

*Copies may be obtained from the Office of Price Administration.

Sec.

- 5.6 Maximum base prices and requirements for "broiler" processed poultry items other than ducks.
- 5.7 Maximum base prices and requirements for specified portions of poultry other than ducks and for poultry fat.
- 5.8 Maximum base prices and requirements for duck items.
- 5.9 Monthly adjustments in the maximum base prices for all poultry items other than ducks and old roasters.
- 5.10 Monthly adjustments in the maximum base prices for all duck items and old roasters.

ARTICLE VI—MARKUPS TO BE ADDED TO MAXIMUM BASE PRICES

- 6.1 General explanation.
- 6.2 Definitions of certain terms used in Tables "F", "G", and "H", of this regulation.
- 6.3 Markups for transporting live poultry.
- 6.4 Markups for making certain types of sales.

ARTICLE VII—SPECIAL MAXIMUM PRICING PROVISIONS

- 7.1 General explanation.
- 7.2 Service charges for converting live poultry into processed poultry.
- 7.3 Maximum prices for poultry items when sold at retail by any type of seller other than a retailer covered by Maximum Price Regulations 422 and 423.
- 7.4 Maximum prices for poultry items requisitioned or purchased off carriers by the United States Government or any of its agencies.
- 7.5 Sale of poultry items by the United States Government.
- 7.6 Maximum prices for processed poultry items purchased for ultimate sale to ship operators.

Authority: § 1423.1 issued under 55 Stat. 23, 765; 57 Stat. 559; Pub. Law 383, 78th Cong.; D. O. 9259, 7 P. R. 7671; E. O. 9328, 8 P. R. 4631.

ARTICLE I—GENERAL SCOPE OF THE REGULATION

SECTION 1.1 *What this regulation covers.* This regulation establishes maximum prices at which live and processed poultry items shall be sold, purchased or delivered.

Sec. 1.2 *Where this regulation applies.* The provisions of this regulation shall be applicable only to the 48 states of the United States of America and to the District of Columbia.

Sec. 1.3 *What this regulation prohibits.*—(a) *Prohibition against sales of poultry items at prices above the maximum.* Regardless of any contract, agreement or other obligation, no person shall sell or deliver or cause to be sold or delivered, whether for his own account or otherwise, the poultry items specified in this regulation at a price higher than the maximum prices established by this regulation; and no person in the course of trade or business shall buy or receive such poultry items at a price higher than the maximum prices established by this regulation; and no person shall agree, offer, solicit or attempt to do any of the foregoing.

(b) *Prohibition against the sharing of markups.* Regardless of any contract, agreement, agency agreement or other

understanding to the contrary, no person shall share with or return to any person who could not himself have sold the poultry items at that markup any part of any amount which includes a markup obtained for the sale of poultry. This prohibition applies whether or not the person making the sale is an agent of the person to whom all or part of the price received for the poultry is to be returned. Any such sharing of the distributive markup or margin with one who could not himself have added such markup or margin to the applicable maximum base price shall be deemed to be a violation of this regulation. The practices described in this paragraph (b) as evasions of the regulation are in addition to other evasive practices prohibited by this regulation and shall not be deemed to permit the sharing or splitting of any part of any sale price in other instances.

(c) *Prohibition against payment by the purchaser of certain brokers' or finders' fees and commissions.* No purchaser of poultry shall pay to a broker or finder for his services any sum which, when added to the sum paid the seller for the poultry, exceeds the seller's maximum price established by this regulation. Any such payment shall be deemed to be a violation of the maximum prices established by this regulation.

(d) *Prohibition against evasions.* The price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of, or relating to, any poultry items, prices for which are established by this regulation, alone or in conjunction with any commodity, or by way of any commission, service, transportation, or other charge or discount, premium or other privilege, or by tying-agreement or other trade understanding or otherwise.

Sec. 1.4 *What purchases, sales and deliveries are exempt from this regulation.* The following sales are exempt from the provisions of this regulation:

(a) Poultry in canned form. The sale, purchase and delivery of canned poultry is covered by Maximum Price Regulation No. 262, as amended.

(b) All sales and purchases of "baby" or "started" chicks, ducklings, goslings and poults when sold for purposes other than present human consumption.

(c) All sales and purchases of squabs, pigeons, guineas, quail and pheasants.

(d) All sales and purchases of breeding poultry sold to any purchaser who certifies in writing to the seller that he is a farmer or producer, purchasing the poultry for breeding purposes only, or is a person engaged in the business of distributing breeding poultry to farmers or producers. The certificate must also contain the name and business address of the purchaser and date of the sale and shall be retained by the seller for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(e) All sales and purchases of female poultry sold to a farmer or producer who certifies in writing to the seller that he

is a farmer or producer purchasing the poultry for the sole purpose of egg production, or is a person engaged in the business of distributing poultry to be used for egg production to farmers or producers. The certificate must also contain the name and business address of the purchaser and date of the sale and shall be retained by the seller for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(f) All sales of live mallard and black ducks, capable of migratory flight when matured, raised under a permit from the Fish and Wildlife Service of the U. S. Department of the Interior or under any regulations or permits issued by any Game or Conservation Department of any state, and sold either for shooting purposes under any game law or to stock parks or game preserves.

(g) All sales at retail except those specified in Section 7.3 of this regulation. Sales at retail shall be determined in accordance with the provisions of Maximum Price Regulation No. 422; entitled "Ceiling Prices of Certain Foods Sold at Retail in Group 3 and Group 4 Stores", and Maximum Price Regulation No. 423, entitled "Ceiling Prices of Certain Foods sold at Retail in Independent Stores doing an Annual Business of Less than \$200,000 (Group 1 and Group 2 Stores)".

(h) Export sales. The maximum prices at which any person shall export any of the poultry items covered by this regulation shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation issued by the Office of Price Administration.

Sec. 1.5 *How this regulation applies to other price regulations and orders—*

(a) *With respect to Maximum Price Regulation No. 280, Maximum Price Regulation 269 and Revised Maximum Price Regulation 269.* The provisions of this regulation supersede the provisions of Maximum Price Regulation 280, Maximum Price Regulation 269 and Revised Maximum Price Regulation 269 with respect to the sale, purchase and delivery of poultry items for which maximum prices are established by this regulation. Insofar as this regulation does not establish a maximum price for any particular sale of poultry items, the provisions of Maximum Price Regulation 280, or any other applicable maximum price regulation, remain in effect.

(b) *With respect to certain provisions of the General Maximum Price Regulation.* Section 4 b (§ 1499.4 b) (Special Deals) and section 14 (§ 1499.14) (Sales slips and receipts) of the General Maximum Price Regulation, as amended, shall be applicable to all agreements, sales, purchases and deliveries covered by this regulation.

(c) *With respect to certain provisions of supplementary regulations and orders.* The following provisions of the following supplementary regulations and orders shall be applicable to all agreements, sales, purchases and deliveries covered by this regulation unless other-

wise provided in subsequent sections of this regulation:

(1) Revised Supplementary Regulation No. 1, section 4.3, (Emergency Purchases.)

(2) Revised Supplementary Regulation No. 1, section 4.4 (Developmental Contracts.)

(3) Supplementary Order No. 42, Amendment 1, § 1305.57, (Secret Contracts.)

(4) Supplementary Order No. 27, § 1305.32, (Sales or deliveries of the War Department or the Navy Department through such department's sales stores.)

(5) Revised Supplementary Order No. 34, (Addition of extra export packaging expenses on sales to procurement agencies of the United States.)

(6) Supplementary Order No. 31, (Treatment of 3% transportation tax imposed by section 620 of Revenue Act of 1942.)

(7) Supplementary Order No. 81, (Establishing maximum prices for sales of food by United States government agencies and exempting certain of such sales from price control.)

(8) Supplementary Order No. 72, (Licensing.)

(9) Supplementary Order No. 84, (Describing conditions under which marketing cooperatives may pay a patronage dividend.)

Sec. 1.6 *Transfer of business or stock in trade.* If the business, assets, or stock in trade of any seller are sold or otherwise transferred and the transferee carries on the business, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no transfer had taken place, and his obligation to keep records sufficient to verify those prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee, all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions contained in this regulation.

Sec. 1.7 *What this regulation permits—*(a) *Less than maximum prices.* Lower prices than those established by this regulation for the sale or purchase of poultry may be charged, demanded, offered or paid.

(b) *Discounts and allowances.* The maximum prices established by this regulation shall apply to all sales of poultry, whether for cash or credit. However, any seller may always give discounts or allowances which result in prices lower than the maximum established herein for the sale or purchase of poultry.

(c) *Addition of separately stated and collected taxes.* If any statute of the United States or statute or ordinance of any state or subdivision of any state imposes a tax upon the sale or delivery of any poultry item covered by this regulation and does not prohibit the seller from stating and collecting the tax separately from the purchase price, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of the tax paid by any prior vendor and separately stated and collected by the vendor from whom he purchased such poultry items; *Provided, however, That:*

(1) The seller states and collects the tax separately from the purchase price; and

(2) If the tax was in effect prior to the effective date of this regulation, the sell-

er's usual business practice was to state and to collect the tax separately from the purchase price of the poultry items; and

(3) Appropriate records are kept indicating the amount of the tax so separately stated and collected, by which governmental authority the tax was imposed, to whom the tax was paid (the prior vendor or the government), to what specific poultry items the tax applies and to whom the products were sold.

SEC. 1.8 *Petitions for amendment.*

(a) Persons who are subject to or directly affected by the provisions of this regulation and who desire an amendment to this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration. The petition should set forth specifically and in stated terms the precise amendment sought by petitioner.

(b) *Adjustable pricing during pendency of petition.* In appropriate situations, where a petition for amendment requires extended consideration, the Price Administrator may, upon application, authorize the petitioner to agree to deliver poultry during the pendency of the petition at prices to be adjusted upward in accordance with the disposition of the petition. Such authorization may be given only if necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization shall be given only by the Administrator and only by order, except that when the contemplated revision will be the granting of an individual application for adjustment it may be given by letter or telegram.

ARTICLE II—POWERS DELEGATED TO REGIONAL ADMINISTRATORS

SEC. 2.1 *Adjustment of maximum prices for live and processed poultry.* Each Regional Administrator is authorized to adjust for his region any maximum price established under this regulation for live and processed poultry items in the case of any seller or group of sellers, where it appears that:

(a) There exists or threatens to exist in a particular locality in his region a shortage in the supply of such live and processed poultry items; and

(b) Such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of such seller and of like sellers for such live and processed poultry items; and

(c) Such adjustment will not create or tend to create a shortage or need for increase in prices in another locality and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

SEC. 2.2 *Adoption of uniform maximum base prices for live poultry.* Each Regional Administrator of the Office of Price Administration is authorized to adjust the maximum base prices for any live poultry items as established in this regulation for all places within any political subdivision or other defined area in his region to one uniform maximum base price applicable to all places in such po-

litical subdivision or other defined area; *Provided, That:*

(a) Such uniform maximum base price for the live poultry item shall not exceed by more than 1/10th of one cent per pound the lowest maximum base price for the live poultry item in such political subdivision or other defined area; and

(b) Such uniform maximum base price for the live poultry items will not create or tend to create a shortage or need for increase in prices in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended; and

(c) The Price Executive of the Poultry, Eggs and Dairy Products Branch of the Food Price Division of the Office of Price Administration is notified, and has approved, in writing of the proposed uniform maximum base price for the live poultry item;

Example: The maximum base price for live broilers in County X ranges from a low of 28.44 cents per pound to a high of 28.53 cents per pound. The Regional Administrator decides to adjust all maximum base prices for live broilers in County X to one uniform maximum base price of 28.5 cents per pound, in the interest of simplicity and effective enforcement. He ascertains that such uniform price will not create a shortage or need for increase in prices in another locality. He also knows that the uniform maximum base price of 28.5 cents per pound does not exceed by more than 1/10th of one cent the lowest maximum base price of 28.44 cents per pound. Therefore, upon receiving the written consent of the Price Executive of the Poultry, Eggs and Dairy Products Branch of the Food Price Division of the Office of Price Administration, he may establish 28.5 cents per pound as the uniform maximum base price for live broilers in all places in County X; and

(d) The Administrator of the War Food Administration is notified in writing of every proposed uniform maximum base price for any live poultry item which reduces the maximum base price for such live poultry item at any place in the political subdivision or other defined area for which the uniform maximum base price is proposed by more than one-tenth of one cent per pound, and has consented in writing to the establishment of such uniform maximum base price.

SEC. 2.3 *Adjustment of maximum base prices and markups and modification of definitions.* (a) The following powers are delegated to each Regional Administrator of the Office of Price Administration with respect to the purchase, sale, or delivery of any poultry item at all places or any number of places within his region, subject to the limitations listed below in paragraph (b) of this section 2.3.

(1) Each Regional Administrator is authorized to alter the provisions and to adjust the maximum base prices for processed poultry items as established by this regulation.

(2) Each Regional Administrator is authorized to adjust the markups established in Article VI, sections 6.3 and 6.4 of this regulation.

(3) Each Regional Administrator is authorized to modify or change any of

the definitions listed in sections 3.5 and 6.2 of this regulation, where it appears that such modified or changed definitions will aid in the enforcement of this regulation or in the proper distribution of poultry items in his region.

(b) The powers delegated to each Regional Administrator of the Office of Price Administration in this section are subject to the following limitations and restrictions:

(1) No Regional Administrator may take any action which will increase the maximum prices at which any poultry item may be sold at retail or to ultimate consumers, including commercial, industrial, institutional or governmental users.

(2) No Regional Administrator may take any action which will decrease the margin of profit for retail sales of poultry items by more than one cent per pound.

(3) No Regional Administrator may take any action which will create or tend to create a poultry shortage or need for increase in poultry prices in another locality, or which will nullify or defeat the purposes of the Emergency Price Control Act of 1942, as amended.

(4) No adjustment may be made to any maximum base price or to any definition, unless such adjustment or modification or change has first been submitted in writing to, and approved in writing by, the Price Executive of the Poultry, Eggs and Dairy Products Branch of the Food Price Division of the Office of Price Administration, and the Division Counsel for Food of the Office of Price Administration.

SEC. 2.4 *Establishment of local maximum base prices for special forms of processed poultry.* (a) Each Regional Administrator of the Office of Price Administration is authorized to establish a maximum base price for any special form of processed poultry prepared in a manner separate and distinct from any of the following forms—dressed, kosher-killed, kosher-dressed, cut-up, hard-scalded, drawn and frozen-eviscerated—where it appears that:

(1) Such special form of processed poultry has customarily been marketed in any locality in his region in substantial quantities for a period of twelve months prior to December 18, 1942; and

(2) Such special form of processed poultry is prepared to meet the racial, religious or traditional eating habits of the populace in that locality where it is marketed; and

(3) By reason of marked preference of a substantial segment of the local consuming public, no other form of processed poultry can adequately be substituted for such special form; and

(4) Those persons who have customarily prepared and marketed such special form of processed poultry will sustain undue hardship unless a maximum base price is established for such special form of processed poultry.

(b) The powers delegated to each Regional Administrator of the Office of Price Administration in this section are subject to the following limitations:

(1) Any action taken by the Regional Administrator shall restrict the applicability of the maximum base price adopted for any special form of processed poultry to those persons who engaged, as a usual practice during the December 1, 1941 to December 1, 1942 period, in processing or selling poultry in the special form designated by the Regional Administrator.

(2) No Regional Administrator may take any action which will create or tend to create a poultry shortage or need for increase in poultry prices in another locality, or which will nullify or defeat the purposes of the Emergency Price Control Act of 1942, as amended.

(3) No Regional Administrator may establish a maximum base price for any special form of processed poultry which will exceed the actual cost involved in the processing and marketing of such form of poultry plus a generally fair and equitable margin of profit.

(4) No Regional Administrator may establish a maximum base price for any special form of processed poultry which is so far out of relationship with the maximum base prices already established in this regulation for dressed, cut-up, hard-scalded, kosher-killed, kosher-dressed, drawn and frozen-eviscerated poultry, as to disrupt or tend to disrupt the normal movement of such processed poultry in his region or in any other region in the United States of America.

(5) No maximum base price for any special form of processed poultry may be established by any Regional Administrator unless such proposed maximum base price has first been submitted in writing to, and approved in writing by, the Price Executive of the Poultry, Eggs and Dairy Products Branch of the Food Price Division of the Office of Price Administration, and by the Division Counsel for Food of the Office of Price Administration.

ARTICLE III—RECORDS, REPORTS, ENFORCEMENT PROVISIONS AND DEFINITIONS

SEC. 3.1 Requirements to keep records and reports. (a) Every seller and purchaser who is subject to this Regulation and makes sales, deliveries or purchases of poultry items to the value of \$200.00 or more in any one month, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, a complete and accurate record of each sale or delivery of poultry items showing the date of purchase or sale, the name and address of the buyer and seller, the quantities, types, grades, weight classes (for capons, drawn and frozen-eviscerated poultry) of poultry bought and sold, the total weights of each type, grade and weight class sold, the type of sale made (delivered or non-delivered) and the price paid or received.

(b) Every person shipping any of the processed poultry items or 300 pounds or more of the live poultry items specified in this regulation by freight car, truck or other means of transport from one place to another, shall post within each such freight car, truck or other means of

transport a manifest showing the place from which the poultry items were shipped, the name and address of the owner of such poultry while in transit, the name and address of the person or persons, if other than the title owner, to whom such poultry items are being shipped and the quantities (in pounds), weight classes (for capons, drawn and frozen-eviscerated poultry), and types and grades of each classification (live or processed; and if processed, the processed classification, i. e., dressed, drawn, frozen-eviscerated, etc.) of such poultry items. If all or any of these poultry items are being shipped to a purchaser or are ultimately destined for delivery to an ascertained purchaser, the name and address of the ascertained purchaser, and the price paid, or to be paid for each classification shall be included in the manifest.

(c) Every seller and purchaser who is subject to this regulation shall keep other records in addition to the records required in paragraphs (a) and (b) of this section, and shall submit such records to the Office of Price Administration as that Office may, subject to the approval of the Bureau of the Budget, from time to time require.

SEC. 3.2 Licensing. The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation, but no such license is required of, or granted to, a farmer, as a condition of selling an agricultural commodity produced by him.

SEC. 3.3 Suspension of license. A seller's license may be suspended for violations of the license or of one or more maximum price regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 3.4 Penalties for violation. Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement suits, license suspension proceedings and suits for overcharge as provided by the Emergency Price Control Act of 1942, as amended.

SEC. 3.5 Definitions.—(a) *Explanation.* This section does not contain all the terms defined in this regulation. Other terms are defined elsewhere in this regulation, adjacent to the subject matter to which they pertain, for the purposes of clarity and coherence.

(1) *Applicability of definitions contained in the Emergency Price Control Act of 1942, as amended, and the General Maximum Price Regulation, as amended.* Unless the context requires otherwise, the definitions of section 302 of the Emergency Price Control Act of 1942, as amended, and of the General Maximum Price Regulation, as amended, shall apply to the terms used in this regulation.

(2) *Customary or customarily.* "Customary" or "customarily" means the usual practice of the person to whom the word applies during both the period December 1, 1941, to December 1, 1942, and the six months period immediately pre-

ceding the sale or purchase under consideration. If the person was not in any form of the poultry business during the December 1, 1941 to December 1, 1942 period, "customary" or "customarily" means his usual practice for the entire time after he entered the poultry business.

(3) *Customary receiving point.* "Customary receiving point" means any place in the buyer's business establishment where he usually accepts delivery of, or title to, poultry from the particular seller or type of seller. When used with reference to the United States Government or any of its agencies, the term means a place located on property owned, leased or otherwise controlled by the buyer where the purchasing branch of the government usually accepts delivery of, or title to, poultry to be used or distributed by it.

(4) *Person.* "Person" includes an individual, corporation, firm, partnership, association or other organized group of persons as hereinbefore defined, or legal successors or representatives of any of the foregoing, and includes the United States Government or any Federal Agency or any other government or any of its political subdivisions.

(5) *Poultry.* "Poultry" means all broilers, fryers, roasters, fowl, stags, capons, old roosters, turkeys, ducks and geese, including live, hard-scalded, dressed, cut-up, drawn, kosher-killed, kosher-dressed, frozen eviscerated and all other processed forms of such items.

(6) *Processed poultry.* "Processed poultry" means any poultry item which has been dressed, hard-scalded, cut-up, drawn, kosher-killed, kosher-dressed, frozen eviscerated, or transformed into any other form of killed and bled poultry.

(7) *Split carcass poultry.* "Split carcass poultry" means drawn poultry which has been cut into halves by splitting the bird down the back so that each half contains approximately equal, and as far as possible, equivalent parts of the bird.

(8) *Quarter carcass poultry.* "Quarter carcass poultry" means "split carcass poultry" each half of which has been divided into two parts so that one part includes the back, thigh and drumstick, while the other part includes the breast and the wing.

(9) *Shipping point.* "Shipping point" means that place in the seller's business establishment from which shipments or deliveries of poultry items are normally made. In the case of non-delivered sales, "shipping point" means that place in the seller's business establishment where the buyer normally calls for and receives his purchases of non-delivered poultry items.

ARTICLE IV—HOW TO CALCULATE MAXIMUM BASE PRICE

SEC. 4.1 What "maximum base price" means. The term "maximum base price" means the highest price at which any poultry item subject to this regulation shall be sold by any person who is not eligible to charge any of the markups provided by sections 6.3 and 6.4 of this regulation. The term also means the price to which any one of the markups shall be added.

SEC. 4.2 Where the maximum base price applies. Every place in the United States shall have its own maximum base price for each of the poultry items subject to the provisions of this regulation.

(a) The word "place" means any city, town, village, hamlet or any unincorporated area in the United States where the purchase and sale of any poultry item subject to the provisions of this regulation occurs.

(b) Every unincorporated area in the United States which is not a city, town, village or hamlet shall have as its maximum base price for the poultry items subject to the provisions of this regulation, the same price for such poultry item as is established for the city, town, village or hamlet nearest to such unincorporated area.

SEC. 4.3 How the seller determines where the maximum base price applies—

(a) *Live poultry items.* The maximum base price for live poultry items shall be the maximum base price at the place where the seller parts with physical possession of such live poultry item. The weight of live poultry items shall be determined at, and as of, the time when the seller parts with physical possession.

Examples: A trucker purchases 100 live broilers from a producer; the trucker takes physical possession of the broilers at the producer's place of business which is in an unincorporated area, and loads the live broilers onto his truck. The maximum base price which the producer may charge and which the trucker may pay is the maximum base price established for the producer's place of business, which is the same as that established for the city, town, village, or hamlet nearest such unincorporated area.

The same trucker hauls the live broilers to the county seat for sale at the local market. Here he has his broilers auctioned off to buyers from Pittsburgh, Cleveland and Detroit. These buyers load the broilers onto their trucks immediately after the auction. The trucker's maximum base price is the maximum base price established for the local market.

A trucker or farmer or shipper receives a telephone call from a New York wholesaler ordering 10,000 pounds of fryers. The live fryers are loaded onto the seller's trucks and hauled to the nearest railroad station, where the live birds are then loaded onto a freight car. The maximum base price for such a sale is the maximum base price established for the city, town, village or hamlet in which the railroad freight station is located.

(b) *Processed poultry items.* All processed poultry items subject to this regulation shall be sold, purchased, or delivered at the maximum base price established for the place either from which the seller makes shipment or else at which the buyer receives delivery, to be determined as follows:

(1) *Delivered sales.* When any processed poultry item is sold on the basis of delivery to the buyer's customary receiving point, the maximum base price for such processed poultry item shall be the maximum base price at the buyer's customary receiving point unless otherwise required by subparagraph (2) below. In such case, all the costs of shipping the processed poultry item to the buyer's customary receiving point shall be assumed and paid by the seller and shall not in any event be paid by the buyer.

(2) *F. o. b. sales by wholesalers, by any seller to the U. S. Government and by producers or processors at retail to ultimate consumers.* The maximum base price for processed poultry items shall be the maximum base price at the seller's shipping point in the following instances:

(i) All sales by wholesalers, as defined in this regulation, to any type of buyer.

(ii) All sales to the United States Government or any of its agencies by any type of seller.

(iii) All sales by a producer or processor at retail to an ultimate consumer other than a commercial, institutional, industrial or non-federal governmental user.

(3) *All other f. o. b. sales.* All other f. o. b. prices for processed poultry (except where expressly provided otherwise for any particular sale or type of sale) shall be calculated in relationship to the maximum base price at the buyer's customary receiving point. Where any person purchases or sells any processed poultry item at one place for shipment to another place at a price f. o. b. the seller's shipping point, he shall calculate his maximum base f. o. b. price as follows:

(i) He shall first determine the maximum base price for such poultry item at the place to which it will be shipped; and

(ii) He shall then subtract from such maximum base price his transportation factor from the place where shipment begins to the place where shipment ends and the difference so obtained shall be his maximum base f. o. b. selling price for such poultry item.

(4) For the purposes of this paragraph (b) the buyer's customary receiving point shall be the point of ultimate destination of the shipment and in no event may be the point where shipment begins. In addition, the buyer's customary receiving point shall have the same meaning as that contained in the definition of the term in section 3.5 of this regulation.

SEC. 4.4. How the United States is zoned for the purpose of calculating maximum base prices. The United States shall be divided into an "Eastern Zone" and a "Western Zone" for the purpose of calculating maximum base prices for poultry items.

(a) *Eastern zone.* The "Eastern Zone" shall consist of all of the United States east of the line running south from the Canadian border along the eastern shore of Lake Michigan, the Illinois-Indiana state line, the Illinois-Kentucky state line, and then south along the eastern bank of the Mississippi River to the Gulf of Mexico, and shall in addition include the Counties of Cook, LaSalle and DuPage in the State of Illinois, and the Counties of Kenosha, Racine and Milwaukee in the State of Wisconsin.

(b) *Western zone.* The "Western Zone" shall consist of all of the United States not included in the "Eastern Zone".

SEC. 4.5 How maximum base prices are calculated for all poultry items other than duck items—(a) *In the eastern zone.* The maximum base price for any

poultry item, except ducks, purchased, sold or delivered at any place in the "Eastern Zone" of the United States, shall be calculated by taking the maximum base price for such poultry item in Chicago, as set forth in the appropriate table of this regulation, and adding thereto the transportation factor from Chicago to such particular place. "Transportation factor" means the lowest carlot railroad freight rate for dressed poultry multiplied by 1.22.

(b) *In the western zone.* The maximum base price for any poultry item, except ducks, purchased, sold or delivered at any place in the "Western Zone" of the United States shall be calculated as follows:

(1) The "transportation factor" from the place to each of the five basing point cities of New York, Los Angeles, San Francisco, Seattle and Portland, Oregon, shall be subtracted from the respective maximum base prices in each of these five cities for the poultry item as set forth in the appropriate table of this regulation and the highest price so obtained shall be the maximum base price for the poultry item at such particular place.

Example: To determine the maximum base price for a Grade A dressed fryer in Hutchinson, Kansas, subtract the following "transportation factor" from the following maximum base prices:

	New York	Los Angeles	San Francisco	Seattle and Portland
Maximum base price.....	Cents 35.00	Cents 32.50	Cents 33.50	Cents 33.50
Transportation factor from Hutchinson to.....	1.70	1.57	1.89	1.93
Difference.....	33.30	30.93	31.61	31.57

The highest result is obtained by subtracting the Hutchinson to Los Angeles transportation factor from the Los Angeles base price for a Grade "A" dressed fryer and 34.93¢ per pound is the maximum base price for such poultry item in Hutchinson, Kansas.

SEC. 4.6 How maximum base prices are calculated for all duck items—(a) *Like duck items.* The maximum base price for any Grade "1" live duck item, purchased, sold or delivered at any place in the United States shall be 25¢ per pound. The maximum base price for any Grade "2" live duck item purchased, sold or delivered at any place in the United States shall be 21¢ per pound.

(b) *"Kosher" processed duck items—*(1) *"Kosher-killed" duck items.* The maximum base price for any Grade "A" or Grade "B" "Kosher-killed" duck item sold, purchased or delivered at any place in the United States shall be 23¢ per pound.

(2) *"Kosher-dressed" duck items.* The maximum base price for any Grade "A" or Grade "B" "Kosher-dressed" duck item, purchased, sold or delivered at any place in the United States shall be 30¢ per pound.

(3) *Grade "C" "Kosher-processed" duck items.* The maximum base prices

for any Grade "C" kosher-processed duck item, purchased, sold or delivered at any place in the United States shall be 4¢ per pound less than the maximum base price established above for the corresponding Grade "A" kosher processed duck item.

(c) *Other processed duck items*—(1) *In the "eastern zone"*. The maximum base price for any "non-kosher" processed duck item purchased, sold or delivered at any place in the "Eastern Zone" of the United States shall be calculated by taking the maximum base price for such processed duck item in New York City as set forth in Table "E" of this regulation, and adding thereto the "transportation factor" from New York City to such particular place.

(2) *In the "western zone"*. The maximum base price for any "non-kosher" processed duck item, purchased, sold or delivered at any place in the "Western Zone" of the United States shall be calculated as follows:

The "transportation factor" from such place in the "Western Zone" of the United States to each of the six basing point cities of Chicago, New Orleans, Los Angeles, San Francisco, Seattle and Portland, Oregon, shall be subtracted from the respective maximum base prices in each of these six cities for the processed duck item as set forth in Table "E" of this regulation, and the highest price so obtained shall be the maximum base price for the duck item at such particular place.

SEC. 4.7 *Exceptions to the above general rules for calculating maximum base prices*. The following exceptions are made to sections 4.5 and 4.6:

(a) The maximum base prices for any poultry item, purchased, sold, or delivered in the cities of San Diego, California, Phoenix, Arizona, Tucson, Arizona and Las Vegas and Reno, Nevada, shall be the same as those listed for the corresponding poultry item in the appropriate table of this regulation for Los Angeles, California.

(b) The maximum base price for any poultry item purchased, sold or delivered at any place in the State of Oregon west of the eastern boundaries of the counties of Multnomah, Clackamas, Marion, Linn, Lane, Douglas and Jackson, shall be the same as those listed for the corresponding poultry item in the appropriate table of this regulation for Portland, Oregon.

(c) The maximum base prices for any poultry item purchased, sold or delivered at any place in the State of Washington west of the eastern boundaries of the counties of Whatcom, Skagit, Snohomish, King, Pierce, Lewis and Skamania shall be the same as those listed for the corresponding poultry item in the appropriate table of this regulation for Seattle, Washington.

SEC. 4.8 *Calculation of prices*. Except insofar as prices are computed under the provisions of section 7.3, all calculations of maximum prices on a per pound basis shall be carried to the fourth decimal place. This price per pound (carried to the fourth decimal point) shall be multi-

plied by the number of pounds sold and the total price then adjusted to the nearest cent or the next higher cent where the total price paid ends with a decimal of 0.005.

ARTICLE V—TABLES SHOWING MAXIMUM BASE PRICES FOR POULTRY IN BASING POINT CITIES

SEC. 5.1 *General explanation*. The following tables A, B, C, D, and E list the maximum base prices for all live and processed poultry items in the basing point cities for the "Eastern Zone" and the "Western Zone."

SEC. 5.2 *Definition of basing point cities*. Chicago is the "Eastern Zone" basing point city for all poultry items other than ducks. New York and the four Pacific Coast cities of Los Angeles, San Francisco, Portland, Oregon, and Seattle are the "Western Zone" basing point cities for all poultry items other than ducks.

New York is the "Eastern Zone" basing point city for all duck items. Chicago, New Orleans and the four Pacific Coast cities of Los Angeles, San Francisco, Portland, Oregon, and Seattle are the "Western Zone" basing point cities for all duck items.

SEC. 5.3 *Application of grade, species, age and sex specifications*. The grade, species, age and sex specifications promulgated by the United States Department of Agriculture in the publications listed immediately below shall be used as the grade, species, age and sex specifica-

tions for all poultry items referred to in this regulation.

(a) Tentative U. S. Standards for Classes and Grades for Dressed Turkeys.

(b) Classification and Tentative Specifications for U. S. Standards and grades for Dressed Chickens.

(c) Tentative Specifications for U. S. Standards and Grades for Dressed Ducks, Geese, Guineas, and Squabs.

(d) Tentative U. S. Standards for Classes and Grades for Live Poultry.

(e) Tentative U. S. Standards for Classes and Grades for eviscerated, Federally inspected chickens.

The standards and specifications of the United States Department of Agriculture named in the above paragraphs as published and in effect on January 1, 1945 are to be controlling during the effective life of this regulation. Any modifications or repeal thereof by the Department of Agriculture shall not modify or repeal the effectiveness of such standards and specifications for the purposes of this regulation.

SEC. 5.4 *Maximum base prices and requirements for live poultry items other than ducks*—(a) *Definition*. Live poultry means all live broilers, fryers, roasters, fowl, stags, capons, old roosters, turkeys, ducks and geese.

(b) *Table A: Maximum base prices for live poultry items, other than ducks, in the basing point cities*. (1) Maximum base prices for Grade "1" live poultry items, other than ducks, in the various basing point cities are established as follows:

LIVE POULTRY
[Prices in cents per pound]

Item No.	Food products—Type	"Live weight" (pounds)	Eastern zone basing point city—Chicago	Western zone basing point cities	
				New York	Pacific coast cities—Los Angeles, San Francisco, Seattle, and Portland, Oreg.
1	Broilers, fryers, and roasters	All weights	27.5	28.5	29.0
2	Light capons	Under 6 lbs.	27.5	28.5	29.0
3	Heavy capons	6 and over	31.0	32.0	32.5
4	Fowl	All weights	24.0	25.0	25.5
5	Stags and old roosters	All weights	20.0	21.0	21.5
6	Geese	All weights	25.0	26.0	26.5
7	Young turkeys	All weights	34.3	35.3	36.3
8	Old turkeys	All weights	32.3	33.3	34.3

(2) *Grade "2" live poultry items*. The maximum base prices for Grade "2" live poultry items shall be 4¢ per pound less than the maximum base prices for the corresponding Grade "1" live poultry items.

SEC. 5.5 *Maximum base prices and requirements for dressed, hard-scalded, drawn, and frozen eviscerated poultry items, other than ducks*—(a) *Definitions and requirements for dressed poultry items*. "Dressed poultry" means poultry which has been killed, bled and plucked without regard to the method of plucking or finishing. Poultry items which have been killed but not plucked shall be sold at maximum base prices not exceeding those established for the corresponding live items.

(b) *Definitions and requirements for hard-scalded poultry items*. "Hard-scalded" poultry means any processed poultry items other than ducks and geese which have been immersed in or otherwise subjected to water for dressing at a temperature higher than 130 degrees Fahrenheit.

(c) *Definition and requirements of drawn poultry*. "Drawn poultry" means dressed poultry which has been drawn in accordance with the following requirements.

(1) The head, shanks, crop, windpipe, esophagus and entrails of each bird must be wholly removed without contamination of the body cavity. The shanks of each bird must be removed at the hock joint.

(2) Each drawn poultry item must be in "whole carcass", "split carcass" or "quarter carcass" form when delivered to the purchaser.

(3) The gizzard of each bird must be cleaned by removing the contents and lining. The cleaned gizzard, heart and liver must all either be replaced within the carcass of the bird from which taken if sold in whole form, or else all three items must be entirely excluded from the carcass and sold separately at maximum base prices not in excess of those established in table D of section 5.7 of this regulation for the corresponding portions.

(4) The neck and giblets shall be included with and sold as part of either half of the "split carcass" drawn poultry item from which taken or any quarter of the "quarter carcass" drawn poultry item from which taken, or shall be divided in any way among those portions, or all the giblets shall be sold separately at maximum base prices not in excess of those established in table D for the corresponding portion.

If not prepared, sold, purchased and delivered as herein described, in accordance with all the requirements established for drawn poultry, the dressed bird shall be sold at maximum base prices not exceeding those established for the corresponding dressed poultry items.

(d) *Definition and requirements of frozen eviscerated poultry.* "Frozen eviscerated poultry" means "dressed poultry" which is eviscerated and frozen in accordance with the following requirements:

(1) Each poultry item must be fresh-dressed at the time of its evisceration. No "dressed poultry" item shall be considered fresh-dressed if it has been held in storage for more than sixty days after the date of slaughter, or if it has developed any appearance of cold storage stock, or if it shows evidence of deterioration from freezing.

(2) Each poultry item must be eviscerated under the supervision of a federal inspector present at all stages of evisceration.

(3) The exterior of each bird must be singed.

(4) The head, shanks, crop, windpipe, esophagus, entrails, gall bladder, lungs, kidneys and oil sac of each bird must be wholly removed. The shanks of each bird must be removed at the hock joint.

(5) The giblets of each bird must be removed and cleaned. All giblets must then either be wrapped in water resistant paper and replaced in the bird from which taken, or else all must be excluded from the bird and sold separately at prices not in excess of those established in table D of section 5.7, for the corresponding portions.

(6) The carcass and giblets (if to be replaced) of each bird must be subjected to a cleansing process which makes such bird ready to cook.

(7) The carcass and giblets (if to be replaced) of each bird, whether in whole, split, or dismembered form must be weighed before being packaged or frozen, and then must be individually packaged in water resistant paper or cartons, one bird to one package, with the weight of

each bird marked or printed on the exterior of each package, and with a statement printed on or attached to the exterior of each package reading as follows: "Inspected and Certified by U. S. Department of Agriculture". The exterior of each package should also show either the name and address of the person processing the eviscerated bird, or the plant number assigned to the eviscerator by the United States Department of Agriculture, thus:

**UNITED STATES INSPECTED FROZEN
EVisCERATED POULTRY**

Inspected and Certified by the U. S. Department of Agriculture at Plant No. _____
(Food Distribution Registry Number.)

(8) Each bird must be placed in a freezer within six hours after evisceration of such bird, and thereafter must be kept at freezing temperature until frozen solid.

(9) After freezing, each bird must be kept at a temperature which will preserve the bird in hard-frozen condition until it is delivered to the purchaser. Each bird must also be delivered to the purchaser in the original package in which it was packaged at the time of its evisceration and from which it has not been removed.

(10) A discount of $\frac{3}{4}$ cent per pound shall be deducted from the maximum base price for any "frozen eviscerated poultry" item which is not individually weighed, packaged, and identified as provided for in subparagraph (7) of this

definition, but which otherwise meets all the requirements of this definition, and is packaged in bulk for sale to institutional, industrial, commercial, or governmental users, or for sale to distributors selling to such users: *Provided*, That a statement is printed on or attached to the exterior of each package certifying that the eviscerated poultry contained therein was eviscerated under Federal inspection, and showing the identity of the eviscerator.

In no event may any processed poultry item be sold as "frozen eviscerated poultry" unless all the requirements established for "frozen eviscerated poultry" have been met. If some, but not all of these requirements have been met, the processed bird, if drawn in accordance with all the requirements established for drawn poultry, shall be sold at a price not in excess of that established for the corresponding drawn poultry item.

If not drawn in accordance with all the requirements established for drawn poultry, then the dressed bird shall be sold at a price not in excess of that established for the corresponding dressed poultry item.

(e) *Table B. Maximum base prices for dressed, hard-scalded, drawn and frozen eviscerated poultry items, other than ducks, in the basing point cities.*

(1) Maximum base prices in the various basing point cities for Grade "A" dressed, drawn, and frozen eviscerated poultry items, other than ducks, are established as follows:

PROCESSED POULTRY

(Prices are in cents per pound) -

Item No.	Food products	Weight	Eastern zone basing-point city			Western zone basing-point cities		
			Chicago			New York		
			Dressed	Drawn	Frozen eviscerated	Dressed	Drawn	Frozen eviscerated
1	Broilers and fryers.....	Under 3½.....	42.5	43.5	42.5	43.5	43.5	43.5
2	Roasters.....	3½ and over.....	43.5	44.5	43.5	44.5	44.5	44.5
3	Light capons.....	Under 4½.....	43.5	44.5	43.5	44.5	44.5	44.5
4	Heavy capons.....	4½ and over.....	44.5	45.5	44.5	45.5	45.5	45.5
5	Fowl.....	All weights.....	41.0	42.0	41.0	42.0	42.0	42.0
6	Stags and old roosters.....	All weights.....	41.0	42.0	41.0	42.0	42.0	42.0
7	Geese.....	All weights.....	42.0	43.0	42.0	43.0	43.0	43.0
8	Young turkeys:							
9	Light.....	All weights.....	42.0	43.0	42.0	43.0	43.0	43.0
10	Medium.....	13 to 16½.....	42.0	43.0	42.0	43.0	43.0	43.0
11	Heavy.....	16½ and over.....	42.0	43.0	42.0	43.0	43.0	43.0
12	Old turkeys:							
13	Light.....	All weights.....	42.0	43.0	42.0	43.0	43.0	43.0
	Medium.....	13 to 16½.....	42.0	43.0	42.0	43.0	43.0	43.0
	Heavy.....	16½ and over.....	42.0	43.0	42.0	43.0	43.0	43.0

(2) *Hard-scalded poultry, other than ducks.* Hard-scalded poultry, other than ducks, shall be eligible only for Grade "B" or Grade "C" classification and shall be sold at maximum base prices no higher than those established for the corresponding Grade "B" or Grade "C" processed poultry items.

(3) *Grade "B" dressed, drawn and frozen eviscerated poultry items, other than ducks.* The maximum base price for all Grade "B" dressed, drawn and frozen eviscerated poultry items, other than ducks, shall be $1\frac{1}{2}$ cents per pound

less than the applicable maximum base price for the corresponding Grade "A" processed poultry items.

(4) *Grade "C" dressed, hard-scalded, drawn and frozen eviscerated poultry items.* The maximum base price for all Grade "C" dressed, hard-scalded, drawn and frozen eviscerated poultry items shall be 4 cents per pound less than the applicable maximum base price for the corresponding Grade "A" processed poultry items.

(5) *Application of prices for all poultry items in packaged form.* The maxi-

imum base prices established for dressed, hard-scalded, drawn, and frozen eviscerated poultry in Table B of this section may be charged only when such poultry is sold box-packed or barrel packed: *Provided*, That all "wholesalers" and "hotel supply houses" may sell less than wholesale quantities of dressed, drawn and frozen eviscerated poultry in loose form to retailers, hotels, restaurants, clubs, dining cars, steamship companies or institutional users at the maximum base prices established for such poultry in table B of this section, plus the applicable mark-up established in table H of this regulation. In all other cases all dressed, hard-scalded, drawn and frozen eviscerated poultry sold in loose form shall be sold at a discount of one cent per pound below the maximum base prices established for such poultry in table B of this regulation.

No additional charges shall be added to the prices established for any poultry item of this regulation for the wrapping, packaging or boxing of such poultry items unless permitted by OPA Supplementary Order No. 34, as amended.

SEC. 5.6 *Maximum base prices and requirements for "kosher" processed poultry items, other than ducks—(a) Definitions and requirements.* "Kosher" processed poultry shall be divided into two classes as follows:

(1) "Kosher-killed" poultry means poultry which has been killed and bled in accordance with the requirements of the Hebraic dietary laws and which is identified as "kosher-killed" by a stamp or tag on each bird.

(2) "Kosher-dressed" poultry means poultry which has been killed, bled and dry plucked in accordance with the requirements of the Hebraic dietary laws and which is identified as "kosher-dressed" by a stamp or tag on each bird.

(b) *When maximum base prices shall be charged for any "kosher" processed poultry item.* The maximum base prices established for kosher processed poultry items shall apply only when such poultry items are sold to a bona fide buyer of kosher processed poultry located within a radius of 50 miles from the point of slaughter. In all other cases kosher processed poultry items shall be sold at a discount of 1 cent per pound below the maximum base prices established for such kosher processed poultry items in Table "C" of this Regulation.

The term "bona fide buyer of kosher processed poultry" means a person who maintains a selling establishment at or through which he regularly and generally sells "kosher" processed poultry, as such, or a person who is a purveyor of kosher meals.

(c) *Table C: Maximum base prices for "kosher" processed poultry items in the basing point cities.* (1) Maximum base prices in the various basing point cities for Grade "A" kosher processed poultry items, other than ducks, are established as follows:

KOSHER PROCESSED POULTRY

[Prices are in cents per pound]

Item No.	Food products		Eastern zone basing point city		Western zone basing point cities			
	Type	Kosher processed weight (pounds)	Chicago		New York		Pacific coast cities ¹	
			Kosher killed	Kosher dressed	Kosher killed	Kosher dressed	Kosher killed	Kosher dressed
1	Broilers, fryers, and roasters.	All weights	34.0	35.5	35.0	36.5	35.5	37.0
2	Light capons	Under 5½	34.0	35.5	35.0	36.5	35.5	37.0
3	Heavy capons	5½ and over	37.0	38.5	38.0	39.5	38.5	40.0
4	Fowl	All weights	30.0	31.5	31.0	32.5	31.5	33.0
5	Stags and old roasters	All weights	25.5	27.0	26.5	28.0	27.0	28.5
6	Geese	All weights	29.0	30.5	30.0	31.5	30.5	32.0
7	Young turkeys	All weights	41.0	42.5	42.0	43.5	41.0	42.5
8	Old turkeys	All weights	39.0	40.5	40.0	41.5	39.0	40.5

¹ Pacific coast cities are: Los Angeles, San Francisco, Portland, Oreg., and Seattle.

(2) *Grade "B" kosher processed poultry items, other than ducks.* The maximum base price for all Grade "B" kosher processed poultry items other than ducks shall be 1½ cents per pound less than the applicable maximum base prices for the corresponding Grade "A" kosher processed poultry items.

(3) *Grade "C" kosher processed poultry items.* The maximum base price for all grade "C" kosher processed poultry items shall be 4 cents per pound less than the applicable maximum base prices for the corresponding Grade "A" kosher processed poultry items.

SEC. 5.7 *Maximum base prices and requirements for specified portions of poultry, other than ducks, and for poultry fat—(a) Definition and requirements of cut-up poultry.* "Cut-up poultry" means drawn Grade "A" broilers and fryers, not exceeding 2½ pounds in drawn weight, from which the oil sac and lungs have been removed before weighing for sale and the carcass of which has been dismembered or cut into portions in accordance with the following requirements:

(1) The wings of each poultry item must be disjointed and removed at the socket joint adjoining the breast and must contain all the wing meat;

(2) The legs must be disjointed and removed at the hock joint and at the hip joint and must contain the complete thigh, all thigh meat and the oyster, but shall not contain the ilium or the ischium bones or any part thereof;

(3) The breast must be removed from the back by cutting alongside the exterior of the oyster socket ilium and through the ribs at the point where the ribs connect with the spinal vertebrae. No part of the wings, legs, back and neck bones, skin or meat or the gizzard, heart

or any other portion not breast may be sold as breast;

(4) The back must contain the neck, vertebrae, backbone, oyster socket (ilium), the ischium, and the meat, skin and bones of these parts.

(b) *Definitions and requirements of poultry fat—(1) Raw poultry fat.* "Raw poultry fat" means edible fat which is obtained from cleaned poultry fat tissues and which is free from all flesh and viscera.

(2) *Government inspected raw poultry fat.* "Government inspected raw poultry fat" means "raw poultry fat" taken from frozen eviscerated poultry, as defined in section 5.5 (d).

(3) *Rendered poultry fat.* "Rendered poultry fat" means fat obtained from pure poultry fat tissues which are free from other tissues and all foreign matter and which have been cleaned, deodorized or purified by settling, straining, filtering, treating with chemicals or other such means and which, at the conclusion of the refining process, do not contain any added or foreign substance. The rendered poultry fat must be pure, sweet, clean and free from adulteration, taint, sourness, rancidity or foreign matter and must not have a moisture content in excess of 1%.

(4) *Government inspected rendered poultry fat.* "Government inspected rendered poultry fat" means government inspected raw poultry fat which satisfies the standards of rendered poultry fat.

(c) *Table D: Maximum base prices in the basing point cities for portions of cut-up poultry, portions of any poultry item and poultry fat.* (1) The following table establishes maximum base prices in the various basing point cities, first, for the wings, legs and breasts of cut-up poultry; second, for other specified portions of any poultry item, and third, for poultry fat.

CUT-UP POULTRY, POULTRY PORTIONS AND POULTRY FAT

[Prices are in cents per pound]

Item No.	Portions of "cut-up poultry"	Eastern zone basing point city—Chicago	Western zone basing point cities	
			New York	Pacific Coast—Los Angeles, San Francisco, Seattle, and Portland, Oreg.
1	Wings.....	23.0	23.0	23.4
2	Legs and breasts.....	63.6	61.6	62.1
3	Portions of any poultry item:			
4	Wing tips, back, neck, or skin.....	13.1	14.1	14.6
5	Liver.....	68.1	69.1	69.6
6	Gizzard ¹ or heart.....	128.0	129.0	129.4
7	Poultry fat:			
8	Raw poultry fat.....	73.0	74.0	74.5
9	Government inspected raw poultry fat.....	73.0	73.0	73.5
10	Rendered poultry fat.....	72.5	73.5	74.0
11	Government inspected rendered poultry fat.....	77.5	78.5	79.0

¹ If the gizzard is not cleaned by removing the contents and lining, the base price shall not exceed $\frac{1}{2}$ of the maximum base price for gizzards as established by this table.

SEC. 5.8 *Maximum base prices and requirements for duck items*—(a) *Definitions and requirements*. The definition and requirements listed for live and processed poultry in section 5.4, 5.5, and 5.6 of this regulation shall apply to live, dressed, drawn, kosher-killed, kosher-dressed and frozen eviscerated ducks.

(b) *Table E: Maximum base prices for live and kosher processed duck items at*

all places in the United States and for non-kosher processed duck items in the basing point cities. (1) Maximum base prices for Grade "1" live and Grade "A" and Grade "B" kosher processed ducks at all places in the United States and for Grade "A" and Grade "B" non-kosher processed ducks in the basing point cities are established as follows:

ALL DUCKS

[Prices are in cents per pound]

Basing point cities	Live	Dressed	Kosher killed	Kosher dressed	Drawn	Frozen eviscerated
Eastern zone: New York.....	25.0	27.0	23.0	23.0	23.5	41.5
Western zone:						
Chicago.....	25.0	23.0	23.0	23.0	23.5	42.5
New Orleans.....	25.0	23.4	23.0	23.0	23.9	42.0
Pacific coast: Los Angeles, San Francisco, Seattle, and Portland, Oreg.....	25.0	23.0	23.0	23.0	42.5	43.5

¹ These are maximum base prices at all places in the United States.

(2) The maximum base prices for Grade "2" live ducks and for Grade "C" processed ducks shall be 4¢ per pound less than the maximum base price indicated in subparagraph (1) above for the corresponding Grade "1" live duck item and Grade "A" and Grade "B" processed duck items.

SEC. 5.9 *Monthly adjustments in the maximum base prices for all poultry items, other than ducks and old roosters.* The maximum base prices established for poultry items, other than ducks and old roosters, in the various basing point cities in section 5.4, 5.5, 5.6, 5.7 of this regulation shall be in force for the months of July, August, September, October, November and December. For the remaining months of each year, the following additions shall be made to each of the above maximum base prices only for live and processed poultry items other than ducks and old roosters:

No. 259—4

Month:	Cents per pound
January.....	0.5
February.....	1.0
March.....	1.4
April.....	1.8
May.....	2.2
June.....	1.0

Those additions shall not be added cumulatively, but rather each addition establishes the total amount which may be added to the maximum base price for sales, purchases and deliveries during the month indicated.

SEC. 5.10 *Monthly adjustments in the maximum base prices for all duck items and old roosters.* The maximum base prices established for duck items by sections 4.6, 5.7 and 5.8 and for old roosters by sections 5.4, 5.5, 5.6 and 5.7 of this regulation shall be in force for the months of March, April, May, June, July and August.

For the remaining months of each year, the following additions shall be made to each of such maximum base prices:

Month:	Cents per pound
September.....	0.5
October.....	1.0
November.....	1.4
December.....	1.8
January.....	2.2
February.....	1.0

These additions shall not be added cumulatively, but rather, each addition establishes the total amount which may be added to the maximum base prices for sales, purchases and deliveries during the month indicated.

ARTICLE VI—MARKUP TO BE ADDED TO MAXIMUM BASE PRICES

SEC. 6.1 *General explanation.* The following Tables F, G and H list markups which may be added to the applicable maximum base prices for certain types of transactions and sales.

SEC. 6.2 *Definitions of certain terms used in Tables F, G and H of this regulation*—(a) *Producer.* "Producer" means any person who grows or raises live poultry on any premises operated by or for him.

(b) *Processing plant.* "Processing plant" means any canning plant converting live poultry to dressed poultry for canning purposes or any business establishment which is engaged primarily in the business of converting live poultry into dressed, hard-scalded, drawn or frozen eviscerated poultry.

(c) *Wholesale quantities.* "Wholesale quantities" means lots of 3,000 pounds or more of live or processed turkeys or lots of 1,000 pounds or more of other live or processed poultry.

(d) *Wholesaler.* No person shall be considered a wholesaler within the meaning of this regulation and no person shall charge any of the wholesale markups established by this regulation unless he possesses all of the following characteristics:

(1) He must maintain a business establishment or establishments where he physically receives and stocks, and from which he physically distributes poultry items at wholesale generally to retailers, and such other buyers as other wholesalers, purveyors of meals, institutional, industrial, commercial, and governmental users.

(2) If he distributes live poultry his business establishment must include office space and handling space suitable for the receipt and distribution of such live poultry.

(3) If he distributes processed poultry his business establishment must include both office and warehouse space. This warehouse space, if leased, must be definitely ascertainable and accessible to him and to his employees and he must have complete control of its poultry contents. This space must be leased on a fixed and established minimum base rental not in any way contingent upon the poundage or volume of poultry stored therein.

(4) He must customarily physically receive and stock in the above described warehouse space of his business establishment or establishments at least 60% of the processed poultry sold by him as a wholesaler.

(5) He or his own pay roll employees shall physically distribute at least 60% of the poultry items distributed from his business establishment. No person on the pay roll of a commercial warehouse or a common carrier or a contract carrier shall be considered the employee of a wholesaler.

(6) He must customarily distribute his processed poultry in quantity lots which are smaller than his purchases or receipts of such processed poultry.

(7) He must customarily sell or distribute at least 75% of his dollar volume of poultry items for ultimate consumption within a radius of 100 miles from his place of business; *Provided, however*, That if he maintains his business establishment at any place west of the eastern boundaries of the States of Montana, Wyoming, Colorado, and New Mexico, this radius shall be increased to 200 miles, unless otherwise fixed by order of the appropriate Regional Administrator of the Office of Price Administration. In computing his total dollar volume of poultry items he shall exclude all sales of processed ducks, all sales of surplus poultry items to other wholesalers at the maximum base price and all sales to the United States Government or any agency thereof.

(8) No person shall be deemed to be a wholesaler as to any sale or delivery of any poultry item, except ducks, made to any other wholesaler whose customary receiving point is located outside the applicable radius specified in subparagraph (7) immediately above from the seller's place of business.

(e) *Cooperative Live Poultry Auction.* For the purpose of this regulation, "cooperative live poultry auction" means any person operating in conformity with the provisions of the Capper-Volstead Act and in a manner consistent with all the requirements of the "wholesaler definition."

(f) *Hotel supply house.* "Hotel supply house" means any person who sells or distributes 90% or more of his annual dollar volume of poultry sales to hotels, restaurants, clubs, dining cars, steamship companies and institutional users and who for a period of at least 12 months prior to March 1, 1943, sold and distributed 90% or more of such annual dollar volume to such users.

Sec. 6.3 Markups for transporting live poultry. Any person who transports live poultry for a distance of 30 miles or more to and for ultimate consumption in any city, town or village may sell or deliver such live poultry items to any wholesaler, individual retail store or any ultimate consumer including commercial, institutional or governmental users located in such city, town or village at the appropriate maximum base price established for such place plus the following trucking markups in cents per pound:

TABLE F—SHORTEST DISTANCE IN ROAD OR RAILROAD MILES FROM THE PLACE WHERE THE TRANSPORT OF LIVE POULTRY BEGINS TO PLACE WHERE TRANSPORT ENDS

	Maximum trucking markup in cents per pound
Less than 30 miles.....	No Increase.
30 to 50 miles.....	¾ cent.
50 to 100 miles.....	1 cent.
100 to 150 miles.....	1¼ cents.
150 to 200 miles.....	1½ cents.
200 to 250 miles.....	1¾ cents.
250 to 300 miles.....	2 cents.
300 miles and over.....	2 cents.

(a) Only one markup for transporting live poultry may be added to the maximum base price for such live poultry items at any city, town or village where they are destined for ultimate consumption. Markups for transporting live poultry may not be added cumulatively.

Sec. 6.4 Markups to maximum base prices for making certain types of sales.

(a) Any person who makes any one of the types of sales indicated in tables G or H below, may add the applicable markup indicated in the appropriate table for such sale to the applicable maximum base price in order to determine his maximum selling price. No person, however, may add more than one of the markups established by section 6.3 and this section 6.4 to any maximum base price unless expressly permitted by the terms of the appropriate markup.

TABLE G—MAXIMUM MARKUPS IN CENTS PER POUND THAT MAY BE ADDED TO APPLICABLE MAXIMUM BASE PRICES FOR CERTAIN SALES OF LIVE POULTRY

Seller	Item No.	Buyer	Form of sale	Maximum base prices to which markups may be added	Markups in cents per pound
Any person.....	1	Processing plant, canner, commercial or industrial user.	Any quantity of live poultry, except turkeys, delivered to buyer's customary receiving point.	Maximum base price at processing plant or buyer's customary receiving point.	Delivered..... 1
	2	Individual retail stores, institutional or governmental user.	Any quantity of live poultry delivered to buyer's customary receiving point.	Maximum base price at buyer's customary receiving point.	Delivered..... 1¼
Producers selling through any co-op live poultry auctions.	3	Processing plant, canner, commercial or industrial user.	Any quantity of live poultry, except turkeys.	Maximum base price at site of auction.	Non-delivered.... 1
	4	Wholesaler.....	Any quantity of live poultry.....	Maximum base price at site of auction.	Non-delivered.... 1
	5	Retailer or institutional or governmental user.	Any quantity of live poultry.....	Maximum base price at site of auction.	Non-delivered.... 1½
Any wholesalers.....	6	Any other wholesaler of live poultry or hotel supply house.	Any quantity of live poultry received and physically handled by the seller.	Maximum base price at seller's shipping point. If the purchaser is located within the same metropolitan area as the seller, the applicable trucking markup for the actual distance the live poultry was transported to the seller's shipping point may also be added.	Non-delivered or delivered. 1
	7	Retailer, commercial, institutional, industrial user, purveyor of meals, or governmental user, or wholesale slaughterhouse.	Any quantity of live poultry received and physically handled by the seller.	Maximum base price at seller's shipping point. If the purchaser is located within the same metropolitan area as the seller, the applicable trucking markup for the actual distance the live poultry was transported to the seller's shipping point may also be added.	Non-delivered.... 1¼ Delivery within 25 miles. 1¾ Delivery beyond 25 miles. 2

TABLE H—MAXIMUM MARKUPS IN CENTS PER POUND THAT MAY BE ADDED TO APPLICABLE MAXIMUM BASE PRICES FOR CASH SALES OF PROCESSED POULTRY

Seller	Item No.	Buyer	Form of sale	Maximum base price to which markups may be added	Markups in cents per pound
Any person.....	1	U. S. Government or any of its agencies.	Any quantity of poultry processed and packed to meet government specifications. If delivered must also be shipped according to government specifications and requirements.	Maximum base price at seller's shipping point.	1 cent. If delivered, however, lowest actual transportation cost incurred may also be added.
	2	Individual retail store, commercial, industrial, institutional, governmental user, or purveyor of meals located within a radius of 25 miles from the point of slaughter.	Less than wholesale quantities delivered to buyer's customary receiving point in any one day.	Maximum base price at buyer's customary receiving point.	Delivered..... 1½
Any person who customarily sells in less than wholesale quantities.	3	Individual retail store, commercial, industrial, institutional, governmental user, or purveyor of meals.	Less than wholesale quantities delivered to buyer's customary receiving point in any one day.	Maximum base price at buyer's customary receiving point.	Delivered..... 1½
Any wholesaler or hotel supply house.	4	Any other wholesaler.....	Any quantity of processed poultry received and physically handled by the seller.	Maximum base price at seller's shipping point.	Non-delivered or delivered..... 1
	5	Any buyer other than another wholesaler or U. S. Government or any of its agencies.	Any quantity of processed poultry received and physically handled by the seller.	Maximum base price at seller's shipping point.	Non-delivered..... 1½ Delivered within 25 miles..... 1½ Delivered beyond 25 miles..... 2
	6	U. S. Government or any of its agencies.	Less than 10,000 pounds of processed poultry delivered in any one day.	Maximum base price at seller's shipping point.	Non-delivered..... 1½ Delivered within 25 miles..... 1½ Delivered beyond 25 miles..... 2
Any hotel supply house.	7	Purveyor of meals or institutional user.	Processed poultry warehouse, physically handled and sold in quantity lots of less than 10,000 pounds.	Maximum base price at seller's shipping point.	Non-delivered..... 1½ Delivered..... 2½

ARTICLE VII—SPECIAL MAXIMUM PRICING PROVISIONS

SEC. 7.1 General explanation. This article establishes maximum prices for certain types of services, sales, purchases and deliveries and applies irrespective of other provisions of this Regulation. The maximum prices provided by this Article VII control and override the other maximum price provisions of this regulation in the event of any conflict.

SEC. 7.2 Service charges for converting live poultry into processed poultry. (a) Any person who is employed to convert into processed poultry for the owner's account, any of the live poultry items, except turkeys, covered by this Regulation, shall compute his charges for such services in the following manner:

(1) First, he shall multiply the live weight of such poultry items at his processing plant by the applicable maximum base price per pound established for the corresponding live poultry items in this Regulation.

(2) Second, he shall multiply the weight of these poultry items after they have been converted into processed poultry by the applicable maximum base price per pound established in this Regulation for the corresponding processed poultry items.

(3) Third, he shall then subtract the lesser of the results thus obtained from the greater.

(4) His charges for picking up, transporting and converting the live poultry into processed poultry shall not exceed the difference between these two results: *Provided, however,* That if the live and processed poultry is the property of, and the services are performed for, the United States Government or any of its agencies, and the processed poultry is prepared, packaged and shipped according to the owner's specifications, the person performing such services may add an amount not to exceed one cent for each

pound of processed poultry items to the result thus obtained.

(b) If the live poultry is delivered to the processing plant without expense to the person performing the service, he shall deduct ½ cent for each pound of processed poultry from the result obtained under paragraph (a) of this section.

(c) If the processed poultry is returned to the owner in loose form, the person performing the service shall deduct one cent for each pound of processed poultry from the result obtained by the application of paragraphs (a) and (b) of this section.

(d) *Evasive practices prohibited.* No person, who processes poultry not his own and who subsequently purchases such processed poultry items himself, or by or through an agent, employee or affiliate, shall charge less for the service of processing the poultry than the true economic value of such service. A charge of less than that permitted by the preceding paragraphs of this section shall be considered prima facie evidence of an evasion of the maximum prices established by this Regulation in the event that the poultry items so processed are subsequently sold to the person who performed the service or to his agent, employee or affiliate.

The practices described in this paragraph (d) are in addition to other evasive practices prohibited by section 1.3 of this regulation.

Sec. 7.3 Maximum prices for poultry items when sold at retail by any type of seller other than a retailer covered by Maximum Price Regulations 422 or 423.

(a) The maximum price for the sale and delivery of poultry items at retail, that is, in quantities of 5 or less poultry items, except turkeys, or 3 or less turkeys sold to an ultimate consumer, other than a commercial, institutional, industrial or governmental user, by any type of seller other than a retailer covered by Maxi-

mum Price Regulations 422 or 423, shall be calculated as follows:

The seller shall add 1½ cents per pound to the maximum base price at his shipping point for the poultry items and shall multiply the sum so obtained by 1.20 for all poultry items other than processed turkeys, and by 1.17 for processed turkeys, and the product of such multiplication shall be his maximum selling price for such poultry items; *Provided,* That in cases of mail order sales the seller may add to such maximum selling price his actual express or mailing expense to the buyer's receiving point.

(b) Fractions of a cent remaining after the price per pound for the poultry item being sold under this section 7.3 has been calculated, shall be dropped if less than ½¢ and increased to the next higher cent if ½¢ or more.

Sec. 7.4 Maximum prices for poultry items requisitioned or purchased off carriers by the United States Government or any of its agencies. If the United States Government or any of its agencies requisitions or purchases any of the poultry items subject to this Regulation from a truck, freight car or any other carrier, whether or not such truck, freight car or carrier is in transit or at stoppage, it shall pay no more than the maximum base price established for such poultry items at the place where the requisitioning or transfer of physical possession occurs plus a sum not in excess of 1 cent per pound.

The weight of any poultry item requisitioned or purchased in such manner shall be determined at the time and place where the requisitioning or transfer of physical possession of such poultry occurs; *Provided,* That if the United States Government or its agency believes it is impracticable to determine the weight of the poultry items at the time and place where the requisitioning or transfer of physical possession occurs, then such poultry item shall be transported imme-

diately to the nearest available weighing station and its weight shall there be determined as soon as possible.

SEC. 7.5 Sale of poultry items by the United States Government. The maximum price at which the United States Government or any of its agencies shall sell any poultry item which it has purchased or requisitioned shall be the price which the Government paid for such poultry items pursuant to the provisions of this Regulation, computed in the manner normally used by the government to compute purchase prices paid, whether by averages or otherwise, and any person may pay such price.

NOTE: S. O. No. 81 exempts from price control federal government sales to certain types of purchasers.

SEC. 7.6 Maximum prices for processed poultry items purchased for ultimate sale to ship operators—(a) Sales by civilian sellers to licensed ship suppliers or to designated corporations. Notwithstanding other provisions of this regulation, in any case where the purchase order has been initially placed by, through, or pursuant to the direction of, the War Shipping Administration, the maximum price for the sale of processed poultry items by any civilian seller, other than a designated corporation, to any licensed ship supplier or to any designated corporation shall be the maximum price as established by other provisions of this regulation, or other pertinent orders or regulations issued by the Office of Price Administration, for the sale of such processed poultry items by such seller to the United States Government or any of its agencies.

(b) *Sales by designated corporations to licensed ship suppliers or to other designated corporations.* Notwithstanding other provisions of this regulation, any designated corporation which has purchased processed poultry items from any civilian seller, upon order initially placed by, through, or pursuant to the direction of, the War Shipping Administration, or from any agency of the United States Government, for the express purpose of ultimate resale to licensed ship suppliers, shall sell such processed poultry items at a maximum price not in excess of the sum of (1) the purchase price paid by such corporation plus all interest charges, apportioned to the particular lot of poultry being sold, not to exceed 2% per annum, (2) all banking charges, apportioned to the particular lot of poultry being sold, not to exceed ½% per annum, (3) all out of pocket storage charges actually incurred and paid to a public warehouse for storing the poultry items being sold, (4) all administration charges actually incurred in handling the specific poultry items being sold and (5) all transportation charges actually paid by the designated corporation for transporting the specific processed poultry items being sold to the place where title passes to the purchaser. No interest or banking charges may be added, however, unless actually incurred in connection with a loan obtained to facilitate the purchase of the poultry items being sold by the designated corporation from a

bank approved in writing by the War Shipping Administration. Furthermore, before any designated corporation may add any of the interest, banking, storage, administration or transportation charges referred to above, these charges must be approved in writing by the War Shipping Administration.

(c) *Sales by licensed ship suppliers to other licensed ship suppliers.* Notwithstanding other provisions of this regulation, the maximum price at which any licensed ship supplier may sell processed poultry items to another licensed ship supplier, where such sale has been requested or directed by the War Shipping Administration, shall be the sum of (1) the purchase price paid for such processed poultry items, (2) the actual out of pocket storage charges accrued and paid to a public warehouse, and (3) all transportation charges actually paid by the seller for transporting the specific processed poultry items being sold to the place where title passes to the purchasing licensed ship supplier: *Provided, however,* That if such sale is not requested or directed by the War Shipping Administration, the maximum price which may be charged by the seller shall be the purchase price paid by him for such processed poultry items.

In no event, however, may any licensed ship supplier add any storage or transportation charges under the provisions of this paragraph (c) unless such charges have been approved in writing by the War Shipping Administration.

(d) *Sales of processed poultry items delivered shipside by licensed ship suppliers to ship operators.* Notwithstanding other provisions of this regulation, the maximum price for sales of processed poultry items, delivered shipside, by licensed ship suppliers to ship operators shall be the sum of (1) the purchase price paid by the licensed ship supplier for such processed poultry items, (2) the actual out of pocket storage charges accrued and paid to a public warehouse, and (3) an amount not in excess of 2¢ per pound. However, no licensed ship supplier may add any storage charges which have not been approved in writing by the War Shipping Administration.

(e) *Definitions—(1) Designated corporation.* "Designated corporation", as used in this regulation, means any corporation which has received the written approval of the War Shipping Administration to receive and to stockpile set aside, restricted and designated foods for the purpose of ultimate resale to licensed ship suppliers.

(2) *Purchase price paid.* "Purchase price paid", as used in this section, means the actual cost per pound paid by the "designated corporation" or the "licensed ship supplier" for the poultry items, not to exceed the maximum price for such sale as established by this regulation or other pertinent orders or regulations issued by the Office of Price Administration, or, if the poultry items have been purchased from a civilian seller other than a "designated corporation", not to exceed the applicable maximum base price, as established by this regulation and as adjusted by additions permitted

by other pertinent orders or regulations issued by the Office of Price Administration, by more than 1½¢ per pound.

(3) *Out of pocket storage charges.* "Out of pocket storage charges", as used in this section, means all storage rates actually accrued and paid to a public warehouse not to exceed an amount of 0.5¢ per pound for one month's storage, 1¢ per pound for more than one, but not over two months' storage, 1.4¢ per pound for more than two, but not over three months' storage, 1.8¢ per pound for more than three, but not over four months' storage, and 2.2¢ per pound for four or more months of storage.

(4) *Licensed ship suppliers.* "Licensed ship supplier," as used in this regulation, means any person who has received a license under War Food Order No. 74 to receive set aside, restricted and designated foods for resale to ship operators for ship stores. It shall also mean ship suppliers otherwise approved in writing by the War Shipping Administration to purchase and sell to ship operators poultry or other food products made available by or through the War Shipping Administration.

(5) *Ship operator.* "Ship operator," as used in this regulation, means any person conducting the business of operating vessels for the account of the United States or any of its agencies under a general agency form of service agreement approved by the Administrator of the War Shipping Administration; or operating, as the owner or as the owner's agent, a vessel which has been time-chartered to the United States Government, as represented by the Administrator of the War Shipping Administration; or operating a vessel, the services of which are employed by the United States Government, as represented by the Administrator of the War Shipping Administration; or operating a vessel designated by the War Shipping Administration which is owned, chartered, or operated by any allied or neutral country.

This regulation shall become effective January 1, 1945.

NOTE: All record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 23d day of December 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: December 11, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-19623; Filed, Dec. 27, 1944;
4:45 p. m.]

PART 1386—SOAP AND GLYCERINE

[Commodity Practices Reg. 1, Revocation]

BAR OR PACKAGE SOAPS OR CLEANERS

A statement of the considerations involved in the issuance of this revocation, issued simultaneously herewith, has been

filed with the Division of the Federal Register.*

Commodity Practices Regulation No. 1 is hereby revoked, subject, however, to the following conditions:

1. Such revocation shall not have the effect to release or extinguish any penalty or liability incurred under such regulation, nor revoke any exception granted thereunder.

2. Said regulation shall be treated as remaining in force for the purpose of allowing or sustaining any proper suit, action, prosecution or proceeding with respect to any penalty or liability incurred under such regulation.

This revocation shall become effective January 2, 1945.

Issued this 28th day of December 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator,

[F. R. Doc. 44-19687; Filed, Dec. 28, 1944;
11:40 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,¹ Amdt. 76]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Section 15, Appendix H, paragraph (b) is amended in the following respects:

1. Table 4 is amended in the following respects:

a. In Item 4, Columns 5 and 6, "\$3.00" is changed to "\$2.70".

b. In Item 10, Column 5, "11.0" is changed to "9.6".

2. Table 5 is amended in the following respects:

a. In Item 1, Columns 5 and 6, "\$3.40" is changed to "\$3.50".

b. In Item 2, Columns 5 and 6, "\$2.30" is changed to "\$2.35".

c. In Item 3, Column 5, "7.6" is changed to "7.8".

d. In Item 4, Columns 5 and 6, "\$1.80" is changed to "\$1.85".

e. In Item 5, Column 5, "9.0" is changed to "9.3".

3. Table 6, Column 5, is amended in the following respects:

a. In Item 1, "\$4.80" is changed to "\$4.90".

b. In Item 2, "\$3.65" is changed to "\$3.75".

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 790, 902, 1581, 2008, 2023, 2091, 2493, 4030, 4086, 4088, 4434, 4786, 4787, 4877, 5926, 5929, 6104, 6108, 6420, 6711, 7259, 7268, 7434, 7425, 7580, 7583, 7759, 7774, 7834, 8148, 9066, 9090, 9289, 9356, 9509, 9512, 9549, 9785, 9896, 9897, 10192, 10192, 10499, 10877, 10777, 10878, 11350, 11534, 11546, 12038, 12208, 12340, 12341, 12263, 12412, 12537, 12643, 12968, 12973, 13027, 13138, 13205, 13761, 13934, 14062, 13995, 14437, 14437.

c. In Item 3, "\$3.20" is changed to "\$3.25".

d. In Item 4, "\$2.45" is changed to "\$2.50".

e. In Item 5, "11.4" is changed to "11.7".

f. In Item 6, "8.7" is changed to "8.9".

4. Table 7, Column 5, is amended in the following respects:

a. In Item 3, "\$4.20" is changed to "\$3.40".

b. In Item 7, "\$2.45" is changed to "\$2.00".

c. In Item 11, "8.7" is changed to "7.1".

This amendment shall become effective January 1, 1945.

Issued this 28th day of December 1944.

CHESTER BOWLES,
Administrator.

Approved: December 20, 1944.

GROVER B. HILL,
Acting War Food Administrator.

[F. R. Doc. 44-19684; Filed, Dec. 28, 1944;
11:40 a. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426¹, Amdt. 77]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Section 15, Appendix I, paragraph (c) is amended in the following respects:

1. In Table 2 Footnote 10 is amended to read as follows:

¹⁰ During the period beginning January 1, 1945 and ending January 31, 1945, for oranges produced in Florida (except those marked "Indian River"), the Column 5 price shall be for Item 1—\$3.62, for Item 3—4.02 cents per pound, for Item 5—3.22 cents per pound, and for Item 7—2.69 cents per pound.

2. In Table 3, Footnote 10 is amended to read as follows:

¹⁰ During the period beginning January 1, 1945 and ending January 31, 1945, the Column 5 price shall be for Item 1—\$4.00, for Item 3—4.51 cents per pound, for Item 5—3.71 cents per pound, and for Item 7—3.18 cents per pound.

3. In Table 6, Footnote 10 is amended to read as follows:

¹⁰ During the period beginning January 1, 1945 and ending January 31, 1945, for white grapefruit produced in Florida (except those marked "Indian River"), the Column 5 price shall be for Item 1—\$3.00, for Item 3—3.62 cents per pound, for Item 5—2.92 cents per pound, and for Item 7—2.51 cents per pound.

4. In Table 7, Footnote 10 is amended to read as follows:

¹⁰ During the period beginning January 1, 1945 and ending January 31, 1945, the Column 5 price shall be for Item 1—\$3.60, for

Item 3—4.45 cents per pound, for Item 5—3.55 cents per pound, and for Item 7—3.14 cents per pound.

5. In Table 8, Footnote 9 is amended to read as follows:

⁹ During the period beginning January 1, 1945 and ending January 31, 1945, for pink grapefruit produced in Florida, the Column 5 price shall be for Item 1—\$3.51, for Item 3—4.33 cents per pound, for Item 5—3.49 cents per pound, and for Item 7—3.03 cents per pound.

6. In Table 10, Footnote 9 is amended to read as follows:

⁹ During the period beginning January 1, 1945 and ending January 31, 1945, for tangerines produced in Florida, the Column 5 price shall be for Item 1—\$4.66, for Item 2—5.42 cents per pound, for Item 3—4.22 cents per pound, and for Item 4—3.44 cents per pound.

This amendment shall become effective 12:01 a. m., January 1, 1945.

Issued this 28th day of December 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved December 27, 1944.

GROVER B. HILL,
Acting War Food Administrator.

[F. R. Doc. 44-19685; Filed, Dec. 23, 1944;
11:40 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 283,¹ Amdt. 53]

ICE CREAM AND ICE CREAM MIX

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The effective date provision of Amendment No. 14 to Maximum Price Regulation No. 280 is amended to read as follows:

This amendment shall become effective February 22, 1943, and shall terminate on February 15, 1945.

This Amendment No. 53 shall become effective December 31, 1944.

Issued this 27th day of December 1944.

JAMES F. BROWNLIE,
Acting Administrator.

[F. R. Doc. 44-19621; Filed, Dec. 27, 1944;
4:44 p. m.]

PART 1420—BREWERY, DISTILLERY AND WINERY PRODUCTS

[RMFR 259,² Amdt. 2]

MALT BEVERAGES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

¹ 9 F.R. 6520, 6030, 10353, 13034, 13057, 13753, 14067.

² 9 F.R. 14537, 14781.

Revised Maximum Price Regulation 259 is amended in the following respects:

1. Section 1.2 (n) is amended by adding the following paragraph at the end thereof:

The term "transportation charges" shall also include charges for the return of cases and empty containers, only where the seller imposed such a charge on a particular class of purchaser during the applicable base period or where the seller did not ship outside his local area during the applicable base period and now establishes a maximum price to a new class of purchaser located outside his local area. Such charges shall be the lawful charges of the cheapest available common or contract carrier for movement of the cases and containers from the above-mentioned purchaser's customary receiving point to the seller's shipping point from which the malt beverage was originally shipped.

2. Section 2.4 (a) (4) (ii) is amended by adding the following sentence at the end thereof:

"However, where a brewer during the applicable base period sold his malt beverage in his local area only and now desires to sell to a class of purchaser located outside that area, he may include in his maximum price to that class of purchaser transportation charges not otherwise included therein."

This amendment shall become effective December 27, 1944.

Issued this 27th day of December 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-19620; Filed, Dec. 27, 1944;
4:43 p. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14A,¹ to GMPR, Amdt. 21]

MILK AND MILK PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The effective date provision of § 1499-73a (a) (1a), as provided for in Amendments Nos. 119 and 184 to Supplementary Regulation No. 14 and Amendments Nos. 2, 4, 11, 13, 16, 19 and 20 to Supplementary Regulation No. 14A, is amended to read as follows:

This amendment shall become effective February 22, 1943 and shall terminate February 15, 1945.

This Amendment No. 21 shall become effective December 31, 1944.

Issued this 27th day of December 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-19622; Filed, Dec. 27, 1944;
4:44 p. m.]

*Copies may be obtained from the Office of Price Administration.

¹8 F.R. 9835, 9885, 10514, 12793, 13060, 13724, 15259, 15705, 16604, 16428, 16919, 17199; 9 F.R. 343, 1328, 2176, 3655, 4985, 5586, 6451, 9996, 10358.

Chapter XIII—Petroleum Administration for War

[PDO 21, Amdt. 3]

PART 1543—PETROLEUM PROCESSING, REFINING, AND MARKETING

LIMITATION ON MANUFACTURE OF PREMIUM MOTOR FUEL

Section 1543.1 *Petroleum Distribution Order No. 21* is hereby amended by changing paragraph (b) to read as follows:

(b) *Limitation on manufacture of premium motor fuel.* After December 31, 1944, the percentage of premium motor fuel manufactured by any person:

(1) In the States of Washington, Oregon, California, Nevada, and Arizona, and in the Territories of Alaska and Hawaii, based on his total manufacture of gasoline, shall not exceed twenty-seven eightieths (27/80) of the percentage of premium motor fuel, based upon total gasoline, which he manufactured during the base period; and

(2) In all other States of the United States, based upon his total manufacture of gasoline, shall not exceed three-eighths (3/8) of the percentage of premium motor fuel, based upon total gasoline, which he manufactured during the base period.

Computation to determine that the amount of premium motor fuel manufactured by any person is within this limitation shall be made on the basis of successive periods one calendar month long, the first of which shall commence on January 1, 1945.

Premium motor fuel delivered for direct military uses in equipment owned and operated by the Army or Navy may be manufactured in addition to the quantity permitted to be manufactured under paragraphs (b) (1) or (b) (2). When submitting monthly figures on premium motor fuel manufacture (PAW Form 48), separate figures shall be reported for any premium motor fuel manufactured and delivered for direct military uses in equipment owned and operated by the Army or Navy.

This amendment shall become effective on January 1, 1945.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; E.O. 9319, 8 F.R. 3687; WPB Directive No. 30, 8 F.R. 11559; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 27th day of December 1944.

HAROLD L. ICKES,
Petroleum Administrator for War.

[F. R. Doc. 44-19688; Filed, Dec. 28, 1944;
11:52 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 204—DANGER ZONE REGULATIONS

ST. JOSEPH PENINSULA, FLA., AREA

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), the

danger zone defined in § 204.89c (9 F.R. 8077), comprising an air to ground target range of the Army Air Forces Flexible Gunnery School, Tyndall Field, Panama City, Florida, is hereby redefined, and the regulations are hereby amended as follows:

§ 204.89c *Waters of Gulf of Mexico and St. Joseph Bay, in vicinity of St. Joseph Peninsula, Fla.; Air to Ground Target Range, Army Air Forces Flexible Gunnery School, Tyndall Field, Panama City, Fla.*—(a) *The danger zone.* An area in the Gulf of Mexico west of St. Joseph Peninsula and in St. Joseph Bay east of St. Joseph Peninsula, Florida, bounded as follows: Beginning at St. Joseph Point, Lat. 29°52'24", Long. 85°23'24"; thence southeasterly to Lat. 29°50'30", Long. 85°23'12"; thence due east to Lat. 29°50'30", Long. 85°22'30"; thence southeasterly to Lat. 29°42'00", Long. 85°20'30"; thence southwesterly to Lat. 29°41'48", Long. 85°21'48"; thence southeasterly to Cape San Blas, Lat. 29°40'00", Long. 85°21'36"; thence southwesterly to Lat. 29°38'54", Long. 85°30'42"; thence northwesterly to Lat. 29°48'36", Long. 85°32'12"; thence northeasterly to the point of beginning. Firing will be in a southwesterly direction from St. Joseph Bay toward the Gulf of Mexico and across St. Joseph Peninsula.

(b) *The regulations.* (1) Firing will be conducted daily between sunrise and sunset, weather and ceiling permitting, and no vessel or other craft shall enter or remain within the area during daylight hours. (Sec. 7, River and Harbor Act Aug. 8, 1917; 40 Stat. 266; 33 U.S.C. 1) [Regs. 15 Dec. 1944 (CE 800.2121 (Mexico, Gulf of)—SPEWR)]

[SEAL] ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44-19676; Filed, Dec. 28, 1944;
9:35 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 36—REGULATIONS UNDER SERVICE-MEN'S READJUSTMENT ACT OF 1944

GUARANTY OF LOANS (HOME)

Correction

In Federal Register Document 44-19315, appearing at page 14895 of the issue for Saturday, December 23, 1944, the part heading should be designated "Part 36" as set forth above.

TITLE 41—PUBLIC CONTRACTS

Chapter II—Division of Public Contracts

CONTRACTS FOR CERTAIN CANNED AND DEHYDRATED FRUITS AND VEGETABLES

EXCEPTION FROM PROVISIONS OF WALSH-HEALEY PUBLIC CONTRACTS ACT; EXTENSION OF ORDERS

Whereas the Secretary of War on December 11, 1944, made written findings

that the inclusion of the representations and stipulations of section 1 of the Walsh-Healey Public Contracts Act (49 Stat. 2036, 41 U.S.C. 35) in contracts awarded during the period from January 1, 1945 through December 31, 1945, for the canned and dehydrated fruits and vegetables enumerated in my orders of December 22, 1942 (7 F.R. 10794) and October 16, 1943 (8 F.R. 14353) will seriously impair the conduct of Government business; and

Whereas the Secretary of War has requested that an exception be granted under section 6 of the act to permit the award of contracts during that period for such canned and dehydrated fruits and vegetables without the inclusion of the representations and stipulations of section 1 of the Act; and

Whereas exceptions have been granted heretofore to permit the award of contracts for such canned and dehydrated fruits and vegetables until December 31, 1944 without including the representations and stipulations of the Public Contracts Act; and

Whereas it appears, on the basis of the facts stated in the findings of the Secretary of War, that justice and public interest will be served by extending the exception orders until June 30, 1945, unless otherwise ordered;

Now, therefore, I do hereby extend the exception orders dated December 22, 1942, and October 16, 1943, pursuant to the powers vested in me by Section 6 of the Walsh-Healey Public Contracts Act (49 Stat. 2036, 41 U.S.C. 35), until June 30, 1945, unless otherwise ordered.

Dated: December 23, 1944.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 44-19619; Filed, Dec. 27, 1944;
4:24 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Office of the Secretary.

[Order 2015]

SEATTLE, WASH., OFFICE

ORDER CHANGING NAME OF OFFICE

DECEMBER 14, 1944.

The present designation of the Seattle office of the Department of the Interior as the Consolidated Purchasing and Shipping Unit leads to confusion and delay in the transaction of official business with shippers, transportation agencies, and the general public.

The functions of the office relate almost exclusively to purchases and shipments destined for Alaska, and it is desirable that these functions be reflected in the official name of the office.

It is therefore ordered, That beginning January 1, 1945, the Seattle office of this Department be designated as Alaskan Purchasing and Shipping Office.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 44-19680; Filed, Dec. 28, 1944;
9:35 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-955, 70-963]

CONSOLIDATED ELECTRIC AND GAS CO., ET AL.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 22d day of December, A. D. 1944.

In the matters of Consolidated Electric and Gas Company, Pottsville Gas Company, File No. 70-955; John H. Ware, 3d, File No. 70-963.

Consolidated Electric and Gas Company ("Consolidated"), a registered holding company, Pottsville Gas Company ("Pottsville"), a gas utility subsidiary company of Consolidated, and John H. Ware, 3d ("Ware"), presently the owner of voting securities in certain gas utility companies not affiliated with the Consolidated holding company system, having filed applications and declarations pursuant to the Public Utility Holding Company Act of 1935, particularly sections 9, 10, 12 (b), 12 (c), 12 (d), and 12 (f) thereof and Rules U-42, U-43, U-44, U-45, and U-46 promulgated thereunder, whereby Consolidated, Pottsville and Ware seek authorization and approval for (1) the sale by Consolidated of its security holdings in two of its direct gas subsidiaries, Bangor Gas Company ("Bangor") and Citizens Gas Company ("Citizens"), for a base cash consideration of \$250,000, the proposed sale being to Ware; (2) the donation by Consolidated to Pottsville as a capital contribution of a 6% demand note in the face amount of \$9,100; (3) the sale by Pottsville of all of its properties and assets for a base cash consideration of \$271,000 to Pottsville Gas and Heating Company, a nominee of Ware; (4) the surrender by Pottsville to Consolidated of the cash to be received by Pottsville for its assets, in exchange for the common stock of Pottsville presently held by Consolidated, and the subsequent liquidation of Pottsville; (5) the employment by Consolidated of the proceeds to be realized by it in connection with said transactions in the acquisition in the open market through brokers or directly from holders thereof but without solicitation of Consolidated's Collateral Trust Bonds, due August 1, 1957 and August 1, 1962 and the retirement of the bonds so acquired; and (6) the acquisition by Ware of the securities of Bangor and Citizens;

A public hearing having been held upon said consolidated matters after appropriate notice, and the Commission having considered the record and having made and filed its findings herein;

It is hereby ordered, That said applications and declarations be, and the same hereby are, granted and permitted to become effective forthwith subject to the terms and conditions set forth in Rule U-24 and to the following terms and conditions:

(1) That Consolidated shall not solicit, or cause to be solicited, any individual bondholders regarding the sale of any bonds to the company;

(2) That no purchases shall be made directly or indirectly from persons or corporations in any way associated or affiliated with Consolidated; and

(3) That Consolidated shall furnish to the Commission promptly after the last day of each month a schedule showing for each day covered by such report the number of bonds purchased, the prices at which purchased, and the name of the broker through whom purchased or, in the case of direct purchases, the name of the person from whom purchased;

Consolidated, having requested that this order conform to the requirements of sections 373 (a), 371 (b), 371 (f) and 1803 (f) of the Internal Code, as amended;

It is further ordered and recited, That the following transactions authorized and permitted by this order are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, said transactions being:

(1) The sale by Consolidated Electric and Gas Company of the securities owned by it of Bangor Gas Company consisting of 800 shares of common stock of the par value of \$50 per share and \$100,000 principal amount First Mortgage 5½% Gold Bonds, due July 1, 1941 and of Citizens Gas Company consisting of 12,700 shares of common stock of no par value for a base cash consideration of \$250,000 to John H. Ware, 3d; and

(2) The application, by Consolidated Electric and Gas Company in the acquisition and retirement of certain bonds issued by Consolidated Electric and Gas Company known as Consolidated Electric and Gas Company Collateral Trust Bonds, due August 1, 1957 and August 1, 1962, of the proceeds of the sale by it of said securities of Bangor Gas Company, Citizens Gas Company and the proceeds to be received by Consolidated Electric and Gas Company from Pottsville Gas Company in connection with the liquidation of this latter named company.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-18678; Filed, Dec. 28, 1944;
9:35 a. m.]

[File No. 1-3217]

ELASTIC STOP NUT CORP. OF AMERICA

ORDER TERMINATING SUSPENSION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 23d day of December, A. D. 1944.

In the matter of trading on the New York Stock Exchange in the Common Stock, \$1 Par Value, of Elastic Stop Nut Corporation of America File No. 1-3217.

The Commission, by order adopted on December 18, 1944, pursuant to section 19 (a) (4), having summarily suspended trading in the Common Stock, \$1 Par Value, of Elastic Stop Nut Corporation of America on the New York Stock Exchange for a period of ten (10) days in order to prevent fraudulent, deceptive, or manipulative acts or practices; and

A public hearing pursuant to sections 8 (e) of the Securities Act of 1933 and 21 (a) of the Securities Exchange Act of 1934 having been instituted and now being in progress at which various executive officers of the Corporation have made public statements purporting to describe in full the present condition of the Corporation's affairs, and the Corporation having on December 22 and 23, 1944, filed amendments to its application for the registration of said security on the New York Stock Exchange;

The Commission, with due regard for the public interest and the protection of investors, deeming it appropriate that said suspension from trading be terminated;

It is ordered, Pursuant to section 19 (a) (4), that the suspension of said Common Stock, \$1 Par Value, of Elastic Stop Nut Corporation of America from trading on the New York Stock Exchange be, and it hereby is, terminated, effective at the opening of the trading session on December 27, 1944.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-19679; Filed, Dec. 28, 1944;
9:36 a. m.]

[File No. 54-66, 59-61, 59-35]

FEDERAL WATER AND GAS CORP., ET AL.

NOTICE OF FILING OF PLAN AND ORDER FOR
HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 23d day of December A. D. 1944.

In the matters of Federal Water and Gas Corporation and subsidiary companies, File No. 54-66; Federal Water and Gas Corporation and subsidiary companies, Respondents; File No. 59-61; and New York Water Service Corporation, Federal Water and Gas Corporation, File No. 59-35.

The Commission having previously, by order dated February 10, 1943, in a consolidated proceeding under section 11 of the Public Utility Holding Company Act of 1935 (File Nos. 59-35, 59-61 and 54-66), among other things, (1) ordered that New York Water Service Corporation ("New York"), a subsidiary of Federal Water and Gas Corporation ("Federal"), a registered holding company, shall take such steps as may be necessary to recapitalize its capital structure so as to fairly and equitably distribute voting power among its security holders; *Provided*, That the common stock of New York owned by Federal shall be accorded no recognition in such recapitalization; (2) ordered that Federal shall take such action as may be necessary to divest itself of all interests held by it, directly or indirectly, in the business conducted and properties owned by New York provided that such divestment shall not be effected through the sales of securities of New York owned by Federal prior to the recapitalization of New York in such

manner as to provide for a fair and equitable distribution of voting power among security holders thereof; and (3) approved a plan filed by Federal and subsidiaries under section 11 (e) of the act, in which plan Federal consented to the entry by the Commission of the order described above relating to New York and Federal's interest in New York;

Notice is hereby given that applications and declarations in regard to a plan of recapitalization have been filed with this Commission pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 by New York (File No. 54-66) for the purpose of complying with the above-described provisions of the Commission's order dated February 10, 1943.

All interested persons are referred to the document which is on file in the office of this Commission for a statement of the transactions therein proposed, which may be summarized as follows:

The plan of recapitalization proposes that the holders of the 46,532 shares of existing \$6.00 Cumulative Preferred Stock, par value \$100 per share, will receive one share of new common stock in exchange for and in full satisfaction of each share of such existing preferred stock and all accumulated and unpaid dividends thereon. Each share of new common stock will have a par value of \$100; will be entitled to one vote at all meetings of stockholders; and in case of liquidation, will be entitled to pro rata share of the assets after payment of debts.

The existing common stock is to be accorded no recognition and is to be surrendered to New York for cancellation, the capital of New York to be reduced accordingly.

New York requests that this Commission order Federal to surrender the outstanding certificates for 26,015 shares of common stock to New York for cancellation.

New York further requests, if the Commission approves the said plan, that the Commission apply to a Federal Court, pursuant to the provisions of sections 11 (e) and 18 (f) of the act, to enforce and carry out its terms and provisions.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held in respect to such matters; and that said declarations shall not become effective nor said applications be granted except pursuant to further order of this Commission;

It is ordered, That the consolidated proceedings in this matter (File Nos. 59-35, 59-61, and 54-66) be reconvened and a hearing under the applicable provisions of said act and the rules of the Commission thereunder be held on January 23, 1945 at 10:00 a. m., e. v. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. All persons desiring to be heard or otherwise wishing to participate in the proceedings should

notify the Commission in the manner provided by the rules of practice, Rule XVII, on or before January 20, 1945;

It is further ordered, That Charles S. Lobingier or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings at such time. The officer so designated to preside at such hearing is hereby authorized to exercise all power granted to the Commission under section 18 (c) of said act and to the trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues, particular attention will be directed at such hearing to the following matters:

1. Whether the plan, as proposed or as hereafter modified, is necessary to effectuate the provisions of section 11 (b) of the act, is in compliance with the Commission's order dated February 10, 1943, and meets the standards of section 11 (e) of the act;

2. Whether the proposed issuance of 46,532 shares of new common stock, \$100 par value per share, meets the relevant standards of the act;

3. Whether the proposed reduction in capital and the proposed accounting entries in connection with the plan are in accordance with the standards of the act and the rules promulgated thereunder;

4. Whether the fees and expenses to be paid in connection with the plan or the proceedings with respect thereto are reasonable or appropriate;

5. Generally, whether the proposed plan and all transactions incidental thereto are, in all respects, in the public interest and in the interest of investors and consumers and consistent with all applicable requirements of the act and the rules thereunder, or, if not, whether and what modifications and what terms and conditions should be required or imposed to satisfy the statutory standards.

It is further ordered, That notice of this hearing be given to the applicants or declarants, to Federal, and to all other interested persons, said notice to be given to the applicants or declarants and to Federal by registered mail, and to all other interested persons by general release of this Commission which shall be distributed to the press and mailed to all persons on the mailing list for the releases issued under the Public Utility Holding Company Act of 1935 and by publication in the FEDERAL REGISTER.

It is further ordered, That New York shall give notice of this hearing to the holders of its \$6.00 Cumulative Preferred Stock (insofar as the identity of such security holders is known or is available to it) by mailing to each of said persons a copy of this notice and order for hearing at his last-known address at least fifteen days prior to the date of this hearing.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-19677; Filed, Dec. 28, 1944;
9:36 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 260, Order 159]

C. E. BAIR & SONS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) C. E. Bair & Sons, Franklinton, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Even Steven.....	Londres.....	50	Per M \$56	Cents 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-19531; Filed, Dec. 27, 1944; 9:27 a. m.]

[MPR 260, Order 160]

CURVIN E. MILLER & CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Curvin E. Miller & Co., Rear 30 Pine St., Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
National Club....	Perfecto.....	50	Per M \$53	Cents 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and

may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19532; Filed, Dec. 27, 1944; 9:26 a. m.]

[MPR 260, Order 161]

JOSE ARANGO & CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Jose Arango & Co., 2712-15th St., Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Cyrilla.....	Longfollows.....	50	Per M \$52.50	Cents 11
La Venga.....	Longfollows.....	50	Per M \$52.50	Cents 11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufac-

turer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size of frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19533; Filed, Dec. 27, 1944;
9:27 a. m.]

[MPR 260, Order 163]

PAUL R. GEESEY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered, That:*

(a) Paul R. Geesey, 324 Maple St., Red Lion, Pa. (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Silas Talbot.....	Paul's 378 De Luxe.	50	Per M \$56	Cents 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

JAMES G. ROGERS, Jr.
Acting Administrator.

[F. R. Doc. 44-19534; Filed, Dec. 27, 1944;
9:25 a. m.]

[MPR 260, Order 164]

ARNOLD & GIPE CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Arnold & Gipe Cigar Co., 142 W. Main St., Windsor, Penna. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Rob Roy.....	Corona.....	50	Per M \$60	Cents 2 for 15
Arnold De Luxe.	Corona.....	50	40	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-19535; Filed, Dec. 27, 1944;
9:25 a. m.]

[MPR 260, Order 165]

PROVIDENCE CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Providence Cigar Co., 1705 18th St., Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Providence.....	Corona.....	50	Per M \$75	Cents 10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof grant the dis-

counts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-19536; Filed, Dec. 27, 1944;
9:25 a. m.]

[MPR 260, Order 163]

RAYMOND C. SHOFF

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered, That:*

(a) Raymond C. Shoff, 150 W. Main, Windsor, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Ray-Vern.....	Ray-Vern.....	C	Per M \$85	Cents 0

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing

differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-19537; Filed, Dec. 27, 1944;
9:19 a. m.]

[MPR 260, Order 163]

ROYAL QUAKER CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered, That:*

(a) John Amoroso & Leroy Hertzog, dba Royal Quaker Cigar Co., R. D. #1, Windsor, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list

price and maximum retail price set forth below:

Brand	Size or front-mark	Pack-ing	Maxi-mum list price	Maxi-mum retail price
Smeltzer's Club-house.	Perfecto.....	50	Per M \$48	Cents 6
Royal Quaker....	Londres.....	50	40	5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or front-mark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the backing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-19538; Filed, Dec. 27, 1944; 9:17 a. m.]

[MPR 260, Order 171]

CINCINNATI CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Cincinnati Cigar Company, 1002 Broadway, Cincinnati 2, Ohio (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or front-mark	Pack-ing	Maxi-mum list price	Maxi-mum retail price
La Prosa.....	Favorita.....	50	Per M \$115	Cents 15
	Perfecto.....	50	60	2 for 15
	Club House....	50	48	6
La Pallum.....	Club House....	50	48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or front-mark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-19539; Filed, Dec. 27, 1944; 9:19 a. m.]

[MPR 260, Order 172]

ROY R. SMITH CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Roy R. Smith Cigar Co., Wallick Alley, Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or front-mark	Pack-ing	Maxi-mum list price	Maxi-mum retail price
A. K. Garels Finos.	Perfecto Extra	50	Per M \$50	Cents 7
Hello World.....	Queens.....	50	40	5
Detroitier Garcia Finos.	Perfecto Extra.	50	50	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing

differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

JAMES G. ROGERS, Jr.
Acting Administrator:

[F. R. Doc. 44-19540; Filed, Dec. 27, 1944;
9:19 a. m.]

[MPR 260, Order 173]

GRAHAM & SUMMERS

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Graham & Summers, Wrightsville, R. D. #1, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Bruce Carroll.....	Invincible.....	50	Per M \$56	Cents 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March

1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order, and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-19541; Filed, Dec. 27, 1944;
9:24 a. m.]

[MPR 260, Order 174]

YORK COUNTY CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) York County Cigar Co., Rear 130½ E. Cherry Alley, Dallastown, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Bdrito.....	Los Angeles.....	50	Per M \$45	Cents 6
National Seal.....	Parade.....	50	44	6
Silver Flame.....	Los Angeles.....	50	43	6
El Fenimore.....	Parade.....	50	45	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-19542; Filed, Dec. 27, 1944;
9:23 a. m.]

[MPR 260, Order 175]

CLEAD FILLMORE

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered, That:*

(a) Clead Fillmore, R. D. #1, Windsor, Pa., (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Fillmore's Special Tobacco Primros.	Hand Made...	50	Per M \$56	Cts. 7
Fillmore's After Dinner.	Hand Made...	50	56	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charge or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and

be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-19543; Filed, Dec. 27, 1944; 9:23 a. m.]

[MPR 260, Order 176]

THOMAS C. SMITH

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered, That:*

(a) Thomas C. Smith, 132 N. Charles St. (rear), Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Garcia DeLuxe...	Garcia DeLuxe....	50	Per M \$56	Cts. 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established

by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-19544; Filed, Dec. 27, 1944; 9:20 a. m.]

[MPR 260, Order 177]

GRADIAZ, ANNIS AND CO., INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered, That:*

(a) Gradiaz, Annis and Company, Inc., 2311 18th Street, P. O. Box 1122, Tampa 1, Florida (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Ruy Lopez.....	Corona Chica...	50	Per M \$82.00	Cts. 11
Sanchez & Haya...	Coronitas.....	50	90.00	112
Shakespeare.....	Perfectos.....	50	185.00	21
Hoyo De Manhattán.....	Corona de Luxe...	50	164.00	20
Ignacio Hoya.....	Palmares.....	50	185.00	21

¹ Prices apply to indicated brand and size with binders made from either Type 55-2-B, or 51-2-B tobacco.

(b) The manufacturer and wholesaler shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-19545; Filed, Dec. 27, 1944;
9:24 a. m.]

[MPR 260, Order 178]

MARK CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Mark Cigar Company, 1902 W. Vilet Street, Milwaukee 5, Wis. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Jose Java Brevia	4 3/4" Brevia	10	Per M \$2.50	Cents 11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-19546; Filed, Dec. 27, 1944;
9:24 a. m.]

[MPR 260, Order 179]

EDWARD M. FAKE

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Edward M. Fake, 289 N. Main St., Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Way-Duro	Corona	10	Per M \$5	Cents 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which

maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-19547; Filed, Dec. 27, 1944;
9:18 a. m.]

[MPR 260, Order 181]

V. C. KELLER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) V. C. Keller, East Prospect, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Lee Edward.....	Perfecto.....	50	Per M \$48	Cents 6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be re-

duced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-19548; Filed, Dec. 27, 1944;
9:17 a. m.]

[MPR 260, Order 182]

K & K CIGAR Co.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered, That:*

(a) Harry Keepports and Ferman Kopp, dba K & K Cigar Co., Rear 758 West Broadway, Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
K & K Quality...	Small Corona...	50	Per M \$56	Cents 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this

order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-19549; Filed, Dec. 27, 1944;
9:18 a. m.]

[MPR 260, Order 183]

QUALITY CIGAR Co.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered, That:*

(a) Quality Cigar Co., Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer

to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Flor-de-Moss.....	Queens.....	50	Per M \$48	Cents 6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged, or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December, 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-19550; Filed, Dec. 27, 1944; 9:18 a. m.]

[MPR 260, Order 183]

C. A. FILLMORE

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) C. A. Fillmore, Jacobus, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Filly's.....	Perfecto.....	20	Per M \$19	Cents 2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by

his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-19551; Filed, Dec. 27, 1944; 9:20 a. m.]

[MPR 260, Order 183]

MABEL E. MCCLEARY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Mabel E. McCleary, York R. D. #2, York, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
The Cotton Exchange Bonaquist.....		50	Per M \$43	Cents 6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufac-

turer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-19552; Filed Dec. 27, 1944;
9:21 a. m.]

[MPR 260, Order 190]

H. L. REICHARD

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) H. L. Reichard, East Prospect, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Prime Choice....	Perfectos.....	50	Per M \$48	Cents 6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-19553; Filed, Dec. 27, 1944;
9:21 a. m.]

[MPR 260, Order 191]

BEN T. LA MOTTE

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Ben T. La Motte, R. D. #2, Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Dinwiddies' Delight.	Perfecto.....	40	Per M \$49	Cents 6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the

manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December, 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-19554; Filed, Dec. 27, 1944;
9:21 a. m.]

[MPR 260, Order 192]

ANDREW A. SNELL

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Andrew A. Snell, R. D. #1, Windsor, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Handmade.....	Perfecto.....	50	Per M \$48	Cents 6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his

sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December, 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-19555; Filed, Dec. 27, 1944;
9:22 a. m.]

[MPR 260, Order 193]

FLOYD L. SMITH

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Floyd L. Smith, North Railroad Alley, Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Corco.....	Corco.....	50	Per M \$48	Cents 6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Pack-

ing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-19556; Filed, Dec. 27, 1944;
9:22 a. m.]

[MPR 260, Order 194]

COMMERCIAL CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Commercial Cigar Company, 72 W. Wells Street, Milwaukee 3, Wis. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maxi-

maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Commercial.....	Londres.....	50	Per M \$97.50	Cents 13
Seth Warren.....	Queens.....	50	97.50	13

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-19557; Filed, Dec. 27, 1944;
9:23 a. m.]

[MPR 260, Order 195]

MI FLORA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, it is ordered, That:

(a) Hymie S. Lipschultz, dba Mi Flora Cigar Co., 4733 W. Center St., Milwaukee, 10, Wis. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Blunts.....	4 7/8	50	Per M \$90.00	Cents 12
Queens.....	5 1/4	50	108.75	2 for 29
Badger Special....	5 1/4	50	130.00	3 for 50

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in

the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-19558; Filed, Dec. 27, 1944;
9:22 a. m.]

[MPR 260, Order 196]

H. F. SMELTZER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, it is ordered, That:

(a) H. F. Smeltzer, 219 W. Broadway, Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Smeltzer's Smoker....	Perfecto....	50	Per M \$60.00	Cents 2 for 16
Nat-Gray.....	Perfecto....	50	60	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales

thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-19559; Filed, Dec. 27, 1944;
9:26 a. m.]

[MPR 260, Order 197]

FLOYD L. SMITH

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Floyd L. Smith, North Railroad Alley, Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Little Dean.....	Little Dean....	50	Per M \$25	Cents 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be

charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

* This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-19560; Filed Dec. 27, 1944;
9:18 a. m.]

[MPR 260, Order 193]

LEON C. SMITH

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Leon C. Smith, RFD #1, Windsor, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Merchants Select....	50	Per M \$25	Cents 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-19561; Filed, Dec. 27, 1944;
9:26 a. m.]

[MPR 260, Order 193]

STEW-CLAIR CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Stew-Clair Cigar Co., RFD #2, Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
G. I.	Perfecto.....	~50	Per M \$84	Cents

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-19562; Filed, Dec. 27, 1944;
9:20 a. m.]

[MPR 260, Order 162]

CHARLES A. DILL

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Chas. A. Dill, R. D. #2, Felton, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Merchants Select...	Perfecto.....	50	Per M \$44	Cents 2 for 11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established

by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-19585; Filed, Dec. 27, 1944;
11:40 a. m.]

[MPR 260, Order 167]

STAR THOMPSON TOBACCO CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Star Thompson Tobacco Co., 1607 17th St., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Little Champ Clark, Andres Diaz.....	Bull Nose... Cigarillos...	to to	Per M \$20 82	Cents 2 for 6 4

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on cor-

responding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December, 1944.

JAMES G. ROGERS, Jr.
Acting Administrator.

[F. R. Doc. 44-19586; Filed, Dec. 27, 1944;
11:40 a. m.]

[MPR 260, Order 169]

VEROMA CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Veroma Cigar Co., 215 N. Water St., Menomonee Falls, Wis. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
El Verona.....	El Verona.....	50	Per M \$64	Cents 8
El Veroma.....	Veroma.....	50	65	7

(b) The manufacturer and wholesalers shall grant, with respect to their

sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-19587; Filed, Dec. 27, 1944;
11:40 a. m.]

[MPR 260, Order 170]

DIXIE CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Dixie Cigar Co., 637 Bakewell St., Covington, Ky. (hereinafter called "manufacturer" and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Dixie Special No. 1..		50	Per M \$65	Cents 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

JAMES G. ROGERS, Jr.,
Acting Administrator.

[F. R. Doc. 44-19588; Filed, Dec. 27, 1944;
11:39 a. m.]

[MPR 260, Order 180]

PAUL ROSEMAN CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Paul Roseman Cigar Co., 520 Wallack Ave., Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Rocco.....	3" x 14"	50	Per M \$44	Cents 2 for 11
Vine-a-Cal.....	4" x 9 1/2"	50	50	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-19589; Filed, Dec. 27, 1944;
11:41 a. m.]

[MPR 260, Order 184]

WILLIAM S. STIFFLER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) William S. Stiffler, R. D. No. 2, Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Senator Grady....	Perfecto.....	50	Per M \$44	Cents 2 for 11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a whole-

saler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-19590; Filed, Dec. 27, 1944;
11:39 a. m.]

[MPR 260, Order 185]

BALDWIN CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Baldwin Cigar Company, 231 East 141st Street, New York 51, N. Y., (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
La Wiedero.....	Regents.....	50	Per M \$75	Cents .10
Bouquet de Rose..	Sublimés.....	50	75	.10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-19591; Filed, Dec. 27, 1944;
11:38 a. m.]

[MPR 260, Order 186]

ELMER SMITH

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant

to § 1358.102 (b) of Maximum Price Regulation No. 260; It is ordered, That:

(a) Elmer Smith, R. D. No. 1, Windsor, Pa. (hereinafter called "manufacturer"), and wholesalers and retailer may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Smith's DeLuxe.	Invincible	50	Per M \$25	Cents 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-19592; Filed, Dec. 27, 1944;
11:38 a. m.]

[MPR 260, Order 187]

ASSOCIATED CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; It is ordered, That:

(a) Associated Cigar Co., Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
La Zorra	Perfetto	50	Per M \$14	Cents 8
Anton J. Cermak	Perfetto	50	60	12 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or

frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 27, 1944.

Issued this 26th day of December 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-19593; Filed, Dec. 27, 1944;
11:38 a. m.]

[MPR 120, Order 1224]

NEW FLORENCE COAL CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; It is ordered:

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 1. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.212 and all other provisions of Maximum Price Regulation No. 120.

NEW FLORENCE COAL CO., c/o COUNTY NATIONAL BANK BLDG., CLEARFIELD, PA., No. 1 MINE, D SEAM, MINE INDEX No. 5113, CLEARFIELD COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT: DIMELING AND/OR HYDE, PA., STRIP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification.....	F	F	F	F	F
Rail shipment.....	335	335	335	305	305
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	360	335	335	325	315

NEW FLORENCE COAL CO., c/o COUNTY NATIONAL BANK BLDG., CLEARFIELD, PA., No. 2 MINE, E SEAM, MINE INDEX No. 5114, CLEARFIELD COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT: DIMELING AND/OR HYDE, PA., STRIP MINE

	F	F	F	F	F
Price classification.....	F	F	F	F	F
Rail shipment.....	335	335	335	305	305
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	360	335	335	325	315

GEO. A. POTTER COAL CO., 936 22d ST., ALTOONA, PA., RADE MINE, BARNETT SEAM, MINE INDEX No. 1149,* BEDFORD COUNTY, PA., SUBDISTRICT 33, RAIL SHIPPING POINT: KEARNEY, PA., DEEP MINE

	B	B	B	B	C
Price classification.....	B	B	B	B	C
For all methods of transportation and all uses.....	425	425	390	365	350

*Mine index number and maximum price for size Group No. 3 for truck shipments previously established.

PENN HYGRADE COAL CO., 227 BROAD ST., NEW BETHLEHEM, PA., No. 1-B MINE, B SEAM, MINE INDEX No. 5252, CLARION COUNTY, PA., SUBDISTRICT 4, RAIL SHIPPING POINT: RIMERSBURG, PA., STRIP MINE

	G	G	G	H	H
Price classification.....	G	G	G	H	H
Rail shipment.....	330	330	315	285	285
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	355	330	330	315	305

PENN HYGRADE COAL CO., 227 BROAD ST., NEW BETHLEHEM, PA., No. 1-C MINE, C SEAM, MINE INDEX No. 5253, CLARION COUNTY, PA., SUBDISTRICT 4, RAIL SHIPPING POINT: RIMERSBURG, PA., STRIP MINE

	H	H	H	J	J
Price classification.....	H	H	H	J	J
Rail shipment.....	330	330	310	285	285
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	350	325	325	310	300

RUSSELL BROTHERS AND CLARK INC., BUCKHORN STAR ROUTE, ALTOONA, PA., RUSSELL MINE, A SEAM, MINE INDEX No. 5270, BLAIR COUNTY, PA., SUBDISTRICT 22, STRIP MINE

	360	335	335	325	315
Truck shipment.....	360	335	335	325	315

ROBERT STUART COAL CO., GLEN CAMPBELL, PA., STUART No. 1 MINE, C SEAM, MINE INDEX No. 5263, INDIANA COUNTY, PA., SUBDISTRICT 12, RAIL SHIPPING POINT: GLEN CAMPBELL, PA., DEEP MINE

	G	G	G	G	G
Price classification.....	G	G	G	G	G
Rail shipment.....	330	330	315	305	305
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	355	330	330	320	310

WINSLOW AND WILLIAMS, 506 N. WATER ST., KITTANNING, PA., No. 1 MINE, A SEAM, MINE INDEX No. 5262, CLARION COUNTY, PA., SUBDISTRICT 1, RAIL SHIPPING POINT: HOLDEN, PA., STRIP MINE

	H	H	H	H	H
Price classification.....	H	H	H	H	H
Rail shipment.....	330	330	310	285	285
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	350	325	325	315	305

YORKSHIRE COAL CO. INC., MADERA, PA., HOMESTEAD No. 6 DEEP MINE, D SEAM, MINE INDEX No. 5211, CLEARFIELD COUNTY, PA., SUBDISTRICT 13, RAIL SHIPPING POINT: GLEN HOPE, PA., DEEP MINE

	Size group Nos.				
	1	2	3	4	5
Price classification.....	D	D	D	D	D
Rail shipment.....	360	340	335	325	325
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	370	345	345	335	325

YORKSHIRE COAL CO. INC., MADERA, PA., HOMESTEAD No. 6 STRIP MINE, D SEAM, MINE INDEX No. 5210, CLEARFIELD COUNTY, PA., SUBDISTRICT 13, RAIL SHIPPING POINT: GLEN HOPE, PA., STRIP MINE

	D	D	D	D	D
Price classification.....	D	D	D	D	D
Rail shipment.....	360	340	335	325	325
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	370	345	345	335	325

WALBURN COAL CO. (JOHN BONA) P. O. BOX 205, BROCKWAY, PA., BONA No. 2 MINE, B SEAM, MINE INDEX No. 745* JEFFERSON COUNTY, PA., SUBDISTRICT 5, RAIL SHIPPING POINT: BROCKWAY, PA., DEEP MINE

	E	E	*E	E	I
Price classification.....	E	E	*E	E	I
Rail shipment.....	355	335	335	315	315
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	365	340	340	330	320

*Previously established.

J. D. WALKER, BRISBIN, PA., TROY No. 10 MINE, D SEAM, MINE INDEX No. 5264, CLEARFIELD COUNTY, PA., SUBDISTRICT 18, RAIL SHIPPING POINT: MAHAFFEY, PA., STRIP MINE

	F	F	F	F	F
Price classification.....	F	F	F	F	F
Rail shipment.....	335	335	335	305	305
Railroad locomotive fuel.....	320	320	305	295	295
Truck shipment.....	340	335	335	325	315

This order shall become effective December 20, 1944.

(56 Stat. 23, 765, 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19206; Filed, Dec. 19, 1944;
11:53 a. m.]

[MPR 136, Amdt. 3 to Rev. Order 104]

FORD MOTOR CO.

AUTHORIZATION OF MAXIMUM PRICES

Amendment No. 3 to Revised Order No. 104 under Maximum Price Regulation 136, as amended. Machinery and parts, and machinery services. Ford Motor Company, Docket No. 3136-324.

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders 9250 and 9328, and § 1390.25a of Maximum Price Regulation 136, as amended; It is ordered:

Revised Order 104 under Maximum Price Regulation 136, as amended, is amended in the following respects:

(1) Paragraphs (d) and (e) are redesignated paragraphs (e) and (f) respectively, and a new paragraph (d) is added to read as follows:

(d) A reseller of Ford Motor trucks in any of the territories or possessions of the United States is authorized to sell each of the trucks described in paragraph (a), at a price not to exceed the applicable maximum price established in paragraph (b) or (c), to which it may add a sum equal to the expense incurred by or charged to it, for payment of territorial and insular taxes on the purchase, sale or introduction of the truck; export premiums; boxing and crating for export purposes; marine and war risk insurance; and landing, wharfage and terminal operations.

This amendment shall become effective December 20, 1944.

Issued this 19th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19210; Filed, Dec. 19, 1944;
11:52 a. m.]

[MPR 136, Amdt. 2 to Order 339]

DIVCO CORP.

AUTHORIZATION OF MAXIMUM PRICES

Amendment No. 2 to Order No. 339 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. Divco Corporation, Docket No. 3136-455.

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders 9250 and 9328, and § 1390.25a of Maximum Price Regulation 136, as amended; *It is ordered:*

Order No. 339 under Maximum Price Regulation 136, as amended, is amended in the following respects:

Paragraphs (e), (f) and (g) are redesignated paragraphs (f), (g) and (h) respectively, and a new paragraph (e) is added to read as follows:

(e) A reseller of Divco trucks in any of the territories or possessions of the United States is authorized to sell each of the trucks described in paragraph (a), at a price not to exceed the applicable maximum price described in paragraph (c) or (d), to which it may add a sum equal to the expense incurred by or charged to it, for payment of territorial and insular taxes on the purchase, sale or introduction of the truck; export premiums; boxing and crating for export purposes; marine and war risk insurance; and landing, wharfage and terminal operations.

This amendment shall become effective December 20, 1944.

Issued this 19th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19209; Filed, Dec. 19, 1944;
11:52 a. m.]

[MPR 136, Amdt. 2 to Order 174]

MACK MANUFACTURING CORP.

AUTHORIZATION OF MAXIMUM PRICES

Amendment No. 2 to Order No. 174 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. Mack Manufacturing Corporation, Docket No. SO-23-4714.

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders 9250 and 9328, and § 1390.25a of Maximum Price Regulation 136, as amended; *It is ordered:*

Order 174 under Maximum Price Regulation 136, as amended, is amended in the following respects:

Paragraphs (d) and (e) are redesignated paragraphs (e) and (f) respectively, and a new paragraph (d) is added to read as follows:

(d) A reseller of Mack trucks in any of the territories or possessions of the United States is authorized to sell each of the trucks described in paragraph (a), at a price not to exceed the applicable maximum price established in paragraph (b) or (c), to which it may add a sum equal to the expense incurred by or charged to it, for payment of territorial and insular taxes on the purchase, sale or introduction of the truck; export premiums; boxing and crating for export purposes; marine and war risk insurance; and landing, wharfage and terminal operations.

This amendment shall become effective December 20, 1944.

Issued this 19th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19204; Filed, Dec. 19, 1944;
11:51 a. m.]

[MPR 136, Amdt. 2 to Order 210]

INTERNATIONAL HARVESTER Co.

AUTHORIZATION OF MAXIMUM PRICES

Amendment No. 2 to Order No. 210 under Maximum Price Regulation 136, as amended. Machinery and parts, and machinery services. International Harvester Co., Docket No. 3136-409.

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders 9250 and 9328, and § 1390.25a of Maximum Price Regulation 136, as amended; *It is ordered:*

Order No. 210 under Maximum Price Regulation 136, as amended, is amended in the following respects:

Paragraphs (d) and (e) are redesignated paragraphs (e) and (f) respec-

tively, and a new paragraph (d) is added to read as follows:

(d) A reseller of International trucks in any of the territories or possessions of the United States is authorized to sell each of the trucks described in paragraph (a), at a price not to exceed the applicable maximum price established in paragraph (b) or (c), to which it may add a sum equal to the expense incurred by or charged to it, for payment of territorial and insular taxes on the purchase, sale or introduction of the truck; export premiums; boxing and crating for export purposes; marine and war risk insurance; and landing, wharfage and terminal operations.

This amendment shall become effective December 20, 1944.

Issued this 19th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19207; Filed, Dec. 19, 1944;
11:53 a. m.]

[MPR 136, Amdt. 1 to Rev. Order 270]

FORD MOTOR Co.

AUTHORIZATION OF MAXIMUM PRICES

Amendment No. 1 to Revised Order No. 270 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. Ford Motor Company, Docket No. 3136-451.

For the reasons set forth in the opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders 9250 and 9328, and § 1390.25a of Maximum Price Regulation 136, as amended; *It is ordered:*

Revised Order 270 under Maximum Price Regulation 136, as amended, is amended in the following respects:

Paragraphs (d) and (e) are redesignated paragraphs (e) and (f) respectively, and a new paragraph (d) is added to read as follows:

(d) A reseller of Ford Motor trucks in any of the territories or possession of the United States is authorized to sell each of the trucks described in paragraph (a), at a price not to exceed the applicable maximum price established in paragraph (b) or (c), to which it may add a sum equal to the expense incurred by or charged to it, for payment of territorial and insular taxes on the purchase, sale or introduction of the truck; export premiums; boxing and crating for export purposes; marine and war risk insurance; and landing, wharfage and terminal operations.

This amendment shall become effective December 20, 1944.

Issued this 19th day of December 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-19203; Filed, Dec. 19, 1944;
11:53 a. m.]

[MPR 260, Order 63]

HARRY A. TINT

AUTHORIZATION OF MAXIMUM PRICES
Correction

In the table in Federal Register Document 44-18765, appearing on page 14560 of the issue for Wednesday, December 13, 1944, the last figure under the column headed "Maximum list price" should be "166.00".

[Administrative Notice 11]

1945 CROP OF FIRE-CURED AND DARK AIR-CURED TOBACCO

NOTICE TO GROWERS OF PROPOSED MAXIMUM PRICES

Pursuant to the provisions of the Emergency Price Control Act of 1942, as amended, the Price Administrator hereby gives notice to growers of proposed prices for the 1945 crop of fire-cured and dark air-cured tobacco. The Administrator proposes to establish maximum prices by types and grades for fire-cured and dark air-cured tobacco which, based on a normal crop composition, will result in 1945 season's average prices for fire-cured and dark air-cured tobacco not less than their respective 1943 season's average prices.

1943 SEASON'S AVERAGE PRICES

Fire-cured tobacco (cents per pound), 23.4.
Dark air-cured tobacco (cents per pound), 27.2.

Issued this 28th day of December 1944.

JAMES F. BROWNLEE,
Acting Administrator.

Approved: December 27, 1944.

GROVER B. HILL,
Acting War Food Administrator.

For the reasons which will be set forth in the statement of considerations to accompany the document which will establish the prices provided in the foregoing notice, and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, I find that the issuance of this notice is necessary to aid in the effective prosecution of the war.

FRED M. VINSON,
Economic Stabilization Director.

[F. R. Doc. 44-19686; Filed, Dec. 28, 1944;
11:40 a. m.]

Regional and District Office Orders.

[Region I Order G-18 Under RMPR 122,
Amdt. 2]

SOLID FUELS IN NEW LONDON, CONN., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. 18 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. In subparagraph (2) of paragraph (f), before the final word "Coke", the word "Koppers" is inserted.

2. A new subparagraph (4a) is added to paragraph (f), to read as follows:

(4a) "Koppers Coke" means that by-product coke produced by the Koppers Coke Company at its plant in New Haven, Conn.

This Amendment No. 2 to Order No. G-18 shall become effective December 28, 1944.

(56 Stat. 23, 765, 57 Stat. 566, Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 19th day of December 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-19608; Filed, Dec. 27, 1944;
1:23 p. m.]

[Region I Order G-24 Under RMPR 122,
Amdt. 2]

SOLID FUELS IN BRIDGEPORT, CONN., AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122, Region I Order No. G-24 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects.

1. In subparagraph (2) of paragraph (g) before the final word "Coke" the word "Koppers" is inserted.

2. A new subparagraph (3a) is added to paragraph (g) to read as follows:

(3a) "Koppers Coke" means that by-product coke produced by the Koppers Corporation at its plant in New Haven, Connecticut.

This Amendment No. 2 to Order G-24 shall become effective December 28, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of December 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44-19609; Filed, Dec. 27, 1944;
1:24 p. m.]

[Region II Order G-5 Under RMPR 269]

POULTRY IN NEW YORK REGION

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, Executive Orders 9250 and 9328 and § 1429.14 of Revised Maximum Price Regulation No. 269, and for the reasons stated in the accompanying opinion, this order is issued.

SECTION 1. *What this order does.* This order provides a temporary addition of ½ cent per pound to the maximum base prices for civilian sales of all dressed poultry covered by Revised Maximum

Price Regulation No. 269 and Order No. G-1 thereunder issued by the Regional Administrator for Region II, except turkeys. This adjustment continues only until January 1, 1945 when the same ½ cent per pound adjustment will automatically be provided by Revised Maximum Price Regulation No. 269.

SEC. 2. *Where this order applies.* (a) This order applies in the following counties of New York: Bronx, Dutchess, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk and Westchester.

(b) The entire states of New Jersey and Delaware.

(c) The following counties of Pennsylvania: Bucks, Chester, Delaware, Montgomery and Philadelphia.

(d) The entire state of Maryland except Alleghany, Frederick, Garrett and Washington counties.

(e) The District of Columbia.

SEC. 3. *Adjusted maximum base prices of dressed poultry except turkeys.* The maximum base prices for civilian sales of all dressed poultry items except turkeys in the areas covered by this order established by Revised Maximum Price Regulation No. 269 and Order No. G-1 thereunder issued by the Regional Administrator for Region II shall be increased ½ cent per pound through December 31, 1944.

SEC. 4. *Effective date.* This order shall become effective at 12:01 a. m. December 24, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; RMPR 269, 7 F.R. 10708)

Issued December 23, 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-19613; Filed, Dec. 27, 1944;
1:26 p. m.]

[Region II Order G-55 Under RMPR 123]

SOLID FUELS IN ALLEGHENY COUNTY, PA.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, it is ordered:

(a) On and after December 18, 1944, the maximum charges for the housing services, set forth in the following schedule, rendered by solid fuel dealers in connection with the sale by them of solid fuels within Allegheny County, Pennsylvania, shall be the applicable adjusted maximum service charges specified therein:

Type of housing service:	Adjusted maximum service charge per net ton
"Shoveling"-----	\$0.75
"Wheeling"-----	.75
"Carrying" (15 steps or less)-----	1.00
"Carrying" (16 steps or more)-----	1.25
"Single Chute"-----	.75
"Double Chute" or "Multiple Chute"-----	1.00

(b) Not more than one of the housing charges specified in paragraph (a) may be imposed in the course of a single delivery. Those charges may be imposed only when the service is requested by the purchaser.

(c) *Definitions.* When used in this Order No. G-55, the term: (1) "Shoveling" refers to housing of solid fuel by dumping it near the consumer's coal window, at the curb or on the sidewalk or driveway, and manually shoveling it through the window into the bin or storage space.

(2) "Wheeling" refers to housing of solid fuel by dumping it at the curb or on the sidewalk or driveway, shoveling it into wheelbarrow, and then wheeling it into the bin or storage space, or wheeling it to the coal window and dumping or shoveling through the window into the bin or storage space.

(3) "Carrying" refers to housing of solid fuel by dumping it at the curb, or on the sidewalk or driveway, as near as possible to the consumer's coal window but at a distance and on a level which will not permit "chuting", "shoveling", or "wheeling", then shoveling it into baskets and carrying (including carrying up steps) to and dumping into the bin or storage space, usually through consumer's coal window.

(4) "Single chute" refers to housing of solid fuel by placing a single chute on the side of the truck, extending it into the coal window, then manually shoveling the fuel from the bed of the truck into the chute through which it is moved or moves, largely by gravity, into the bin or storage space. (This service is not to be confused with "dumping by way of chute". There the truck is backed up to the coal window, a chute is fastened to a door in the end-gate of the truck and extended through the coal window, the front body of the truck is mechanically raised, and the fuel is kept manually flowing through the chute and into the bin or storage space.)

(5) "Double chute" or "multiple chute" refers to housing of solid fuel in the same manner as by "single chute" except that two or more chutes are attached together for the purpose. The solid fuel is shoveled from the bed of the truck into the chutes and forced through the chutes into the bin or storage space.

(6) Unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to all other terms used herein.

(d) To the extent that they are not inconsistent with the terms of this order, the provisions of Revised Maximum Price Regulation No. 122 remain applicable to all dealers subject to this order.

(e) This order may be revoked or amended by the Regional Administrator or by the Price Administrator through the issuance at any time hereafter of any order or price regulation, or amendment or supplement thereto, the provisions of which may be contrary hereto.

This Order No. G-55 shall become effective December 18, 1944.

(56 Stat. 23, 765, 57 Stat. 560, Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 14th day of December 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-19600; Filed, Dec. 27, 1944;
1:23 p. m.]

[Region IV Order G-4 Under MPR 329,
Amdt. 4]

FLUID MILK IN ATLANTA REGION

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, of the Office of Price Administration by § 1351.408 (b) and (c) of Maximum Price Regulation 329 as amended, Order G-4 under Maximum Price Regulation 329 is amended in the following respects:

1. Section (B) (2) (iii) (b) is revoked.

2. Section (B-1) is added to read as follows:

(B-1) The maximum price which a purchaser may pay for "milk" to a new producer located in the States of Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee and Virginia shall be determined as follows:

(1) The purchaser must file an application with the Atlanta Regional Office for the determination of a maximum price payable to the new producer. This application must be filed in duplicate with the Atlanta Regional Office, Candler Building, Atlanta 3, Georgia, and shall include the following information:

(i) The name and address of the purchaser and the new producer (or producers).

(ii) A statement from the appropriate Health Department, setting forth the following facts:

(a) That the new producer (or producers) has qualified for the production of milk for human consumption;

(b) The prevailing price paid to producers in the production area in which the new producer (or producers) is located.

(iii) If the new producer distributed packaged milk in January, 1943, a statement showing the approximate volume of such packaged milk at the present time, together with the localities of sale and the selling price or prices.

3. Paragraph (7) is added to section (C) to read as follows:

(7) "Producer" means a farmer or other person or representative who owns, superintends, manages or otherwise controls the operation of a farm or other place on which milk is produced and who sold "milk" during January, 1943. A farmers' cooperative is a producer with respect to all its sales of milk except milk processed by it or for it in a milk receiving or processing plant owned, leased or contracted for by the cooperative.

4. Paragraph (8) is added to section (C) to read as follows:

(8) "New producer" means a "producer" who did not sell bulk fluid milk during January, 1943 in a raw and unprocessed state for resale for human consumption as fluid milk. The following are defined, among others, to be new producers: (a) a producer who has acquired production facilities since January 31, 1943; (b) a farmers' cooperative organized since January 31, 1943, which qualifies as a producer according to § 1351.404 (c) of Maximum Price Regulation 329; (c) a producer who sold "manufacturing" milk only during January, 1943 but who has since commenced to sell bulk milk to a purchaser for resale in fluid form; and (d) a producer who processed and distributed his entire output at wholesale or retail during the month of January, 1943 but who has since commenced to sell bulk fluid milk to a purchaser for resale in fluid form.

This amendment to Order G-4 shall become effective December 15, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued: December 9, 1944.

ALEXANDER HARRIS,
Regional Administrator.

Approved: December 9, 1944.

LOUIS T. WELLS,
In Charge Southern Field Office,
War Food Administration.

[F. R. Doc. 44-19697; Filed, Dec. 27, 1944;
1:23 p. m.]

[Peoria Order G-1 Under RMPR 271, MPR 235,
and LMR 426]

FRESH FRUITS AND VEGETABLES IN PEORIA, ILL., DISTRICT

Pursuant to the Emergency Price Control Act of 1942, as amended, Executive Orders Nos. 9250 and 9323, and under the authority duly vested in the District Director of the Peoria District Office of the Office of Price Administration pursuant to section 11 (c) (3) (iv) of Revised Maximum Price Regulation 271, § 1351.12542 (a) of Maximum Price Regulation 235 and § 1439.3-15, Appendices H (f), I (g), J (i) and K (r) of Maximum Price Regulation 426, this order is hereby issued.

(a) *What this order does.* This order fixes the limits of the free delivery zone at all wholesale receiving points located within the Peoria District and establishes differentials for delivered sales beyond such free delivery zones. The order applies to the delivery of such fresh fruit and vegetable items as are now or may hereafter be subject to the pricing provisions of Revised Maximum Price Regulation 271, Maximum Price Regulation 235 and Appendices H, I, J and K of Maximum Price Regulation 426 when sold by intermediate sellers as defined by Revised Maximum Price Regulation 271, wholesalers whose maximum prices are determined pursuant to the provisions of Maximum Price Regulation 235, secondary jobbers are service wholesalers as de-

lined in Appendices H, I, J and K of Maximum Price Regulation 426.

On and after the effective date of this order, regardless of any contract or other obligation, no intermediate seller, wholesaler, secondary jobber or service wholesaler subject to this order may charge more than the delivery differentials established herein for his type of sale nor may such seller determine the limits of his free delivery zone other than in the manner set forth herein.

(b) *Establishment of free delivery zones.* The free delivery zone shall be the area included within the city, town or village limits of any city, town or village located in the Peoria District or the area within a radius of five miles of the place of business of the individual intermediate seller, wholesaler, secondary jobber or service wholesaler located in the Peoria District, whichever area is the greater.

(c) *Non-delivered sales within the free delivery zone.* The maximum prices for non-delivered sales within the limits of the free delivery zone shall be the same as those for delivered sales within such zone.

(d) *Delivered sales within the free delivery zone.* The maximum delivered prices for delivered sales within the free delivery zone shall be the appropriate maximum delivered price for such sales calculated in accordance with the provisions of the applicable maximum price regulation without any addition to or deduction from such maximum price.

(e) *Delivered sales beyond the free delivery zone.* (1) For delivered sales of commodities covered by Revised Maximum Price Regulation 271 and Appendices H, I, J and K of Maximum Price Regulation 426 beyond the limits of the free delivery zone, delivery charges may be added at rates not in excess of the following schedule:

Miles and Charge			
Over 0 to and includ-	\$0.20	cwt.	gross
ing 25.		weight.	
Over 25-----	\$0.05	cwt.	gross
		weight for each consecutive 10 miles in excess of 25 miles.	

In no case may the charge exceed \$0.50 cwt., gross weight.

(2) For delivered sales of commodities covered by Maximum Price Regulation 285 beyond the limits of the free delivery zone, delivery charges may be added not in excess of those specified in (1) above, except that such charges must be made on a net weight basis and may not, in any case, exceed the sum of \$0.35 cwt. net weight.

(f) *Definitions.* (1) "Delivered" means delivery to the physical premises of a retail store, restaurant, hotel or institution.

(2) "Peoria District" means the area comprising the Counties of Bureau, Ford, Fulton, Grundy, Iroquois, Kankakee, Kendall, Knox, La Salle, Livingston, Marshall, Mason, McDonough, McLean, Peoria, Putnam, Stark, Tazewell, Warren, Will and Woodford, all in the State of Illinois.

(3) Unless the context otherwise requires, all terms used herein and not defined above shall have the meaning given them by Revised Maximum Price Reg-

ulation 271, Maximum Price Regulations 285 and 426.

(g) *Effective date.* This order shall become effective at 12:01 a. m. of January 1, 1945. It may be amended, corrected or revoked at any time.

(h) *Relation of this order to other orders.* This order revokes Orders No. G-1, 2, 3 and 4 issued by this Office under § 1351.1254a (a) of Maximum Price Regulation 285 and § 1439.3-15, Appendices H (f), I (g), J (l) and K (r) of Maximum Price Regulation 426 as of the effective date of this order.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; RMPR 271, as amended, 8 F.R. 7017; MPR 285, as amended, 7 F.R. 10841; MPR 426, as amended, 8 F.R. 9546)

Issued this 21st day of December 1944.

JAS. A. CARRUTHERS,
District Director.

Approved:

DONALD E. SMITH,
Acting Regional Director of Distribution,
War Food Administration.

[F. R. Doc. 44-19612; Filed, Dec. 27, 1944;
1:25 p. m.]

[Region VI Order G-16 Under RMPR 122,
Appendix 11]

SOLID FUELS IN ELGIN, ILL., AREA

(a) *Applicability.* This Appendix No. 11 applies to sales of solid fuels delivered within the city of Elgin, Illinois and within a radius of seven (7) miles of the city limits of Elgin, Illinois, except that this shall not include the towns of Dundee and Carpentersville, Illinois.

(b) *Price schedule.* Immediately below and as a part of this section (b) is a price schedule that sets maximum prices without discount for "delivered" sales by dealers of specified kinds and sizes of solid fuels in lots of ½ ton or more. Service charges are set forth in section (c). Discounts which must be granted for certain types of sales are set forth in section (d). Charges for treatment of coal are set forth in section (e). Definitions are set forth in section (f).

PRICE SCHEDULE

	Delivered (1 ton)	Delivered (½ ton)
I. Low volatile bituminous coal from district No. 7 (Southern West Virginia and Northwestern and Central Virginia):		
1. Lump, egg, and stove, size groups 1, 2, and 3 (all lump coal bottom size ¾"; all egg coal top size larger than ¾"; bottom size no limit; all stove coal, top size larger than 1¼" but not exceeding 3"; bottom size smaller than 3". In price classifications A and B:		
A. Forked.....	\$13.55	\$7.05
B. Shoveled.....	12.55	6.55
2. Pea or dedusted screenings, size group No. 5 (top size not exceeding ¾"; bottom size smaller than ¾". In price classification A.....	10.80	5.65
3. Screened mine run, size group No. 6 (straight run of mine from which all or part of the ¾" or ¾" top size has been removed.) In price classifications A and B.	11.15	5.85

PRICE SCHEDULE—Continued

	Delivered (1 ton)	Delivered (½ ton)
II. High volatile bituminous coal from District No. 8 (Eastern Kentucky, West Virginia, part of Tennessee and North Carolina):		
1. Stoker, size group No. 10 (all double screened stoker coals, top size not exceeding 1¼" and bottom size less than 1¼"): <ul style="list-style-type: none"> A. In price classification A..... B. In price classification B through E..... 	\$10.05 10.70	\$5.75 5.60
III. High volatile bituminous coal from district No. 10 (Illinois):		
A. Southern subdistrict price group Nos. 1, 2 and 8:		
1. Lump, egg and nut, size group Nos. 1 through 5 (all lump, egg or nut coals with a bottom size larger than 1¼").....	9.05	4.80
2. Special stoker, size group Nos. 21, 22 and 23 (washed or air cleaned nut and pea coal, bottom size larger than 1 millimeter; top size not exceeding 2" and all dry dedusted special stoker, bottom size larger than 23 mesh and top size not exceeding 3½").....	8.30	4.40
3. Washed and dedusted screenings, size group Nos. 23, 24, 26, and 27 (all washed, air cleaned or dry dedusted screenings, top size not exceeding 2").....	7.85	4.20
B. Central subdistrict price group Nos. 12 and 13:		
1. Lump and egg, size group Nos. 1, 2 and 3 (all lump and egg coals, bottom size larger than 2", washed or raw).....	7.60	4.05
2. Washed nut and pea, size group Nos. 17-20 inclusive (washed or air cleaned nut and pea coal, bottom size larger than 10 mesh or ¾", and top size not exceeding 2").....	7.20	3.85
C. Northern subdistrict price group No. 23:		
1. Lump and egg, size group Nos. 1, 2, and 3 (all lump and egg coals, bottom size larger than 2", washed or raw).....	7.80	4.15
2. Raw or washed nut, pea and stoker, size group Nos. 9-12, inclusive and 17-20, inclusive (all raw, washed or air cleaned nut and pea coal, bottom size larger than 10 mesh or ¾"; top size not exceeding 2").....	7.30	3.90
IV. High Volatile Bituminous Coal from District No. 11 (Indiana):		
1. Lump and egg, size group Nos. 1, 2 and 3 (all lump and egg coals, bottom size larger than 2" washed or raw): <ul style="list-style-type: none"> A. In price group Nos. 6 and 14..... B. In price group Nos. 16 and 16..... C. In price group No. 18, mine index No. 115 only..... 	9.25 8.90 8.40	4.90 4.70 4.45
2. Raw nut and pea, size group Nos. 9-12, inclusive (all raw nut and pea coal, bottom size larger than 10 mesh or ¾" and top size not exceeding 2"), price group Nos. 6 and 14.....	8.15	4.35
V. Pennsylvania anthracite:		
1. Egg, stove, and nut.....	13.20	6.85
2. Pea.....	16.55	8.05
3. Buckwheat.....	14.70	7.60
VI. Briquettes—Low volatile Berwind.....	13.40	6.95
VII. Coke byproduct:		
1. Egg, stove and nut.....	14.60	7.55

The above prices include the Illinois retailers occupation tax.

(c) *Service charges.* Immediately below and as a part of this section (c) is a schedule of charges which a dealer may make for the special services described when rendered in connection with sales of solid fuels covered by this appendix. These charges may be made only if the buyer requests the service and the dealer renders it pursuant to the request.

SCHEDULE OF SERVICE CHARGES

Trimming.....	\$0.75 per hour.
Wheeling or carrying from curb:	
Coal.....	.75 per ton.
Coke.....	1.00 per ton.
Carrying up or down stairs:	
Coal.....	1.00 per ton.
Coke.....	1.25 per ton.

(d) *Discounts.* (1) The maximum prices shall be those set forth in schedule (b), minus not less than 50¢ per ton, if payment in cash is made on delivery or within 10 days thereof.

(2) In addition to the cash discount set forth in sub-paragraph (1) above, the maximum prices established in schedule (b) shall be subject to the following discounts:

	Per ton
(i) On sales to consumers, if the coal is picked up by the consumer at the dealer's yard.....	\$0.50
(ii) On sales by dealer to dealer, if the coal is picked up by the purchaser at the seller's yard.....	1.25
(iii) On farm sales, if the coal is picked up by the farmer at the dealer's yard.....	1.00
(iv) On "delivered" sales of stoker size coal in lots of 20 tons or more.....	.50
(v) On "delivered" sales of coal larger than stoker size coal in lots of 20 tons or more.....	1.00

(3) The dealer shall continue to allow any discounts and differentials other than those described in paragraphs (1) and (2) of this section which he customarily granted in the base period of December 1941 as for example, discounts granted to restaurants, bakeries, or others customarily receiving such discounts or differentials.

(e) *Charge for treatment of coal.* Whenever a dealer has been charged by his supplier for the chemical or oil treatment of coal at the mine he may add such treatment charge to the applicable maximum price set by this Appendix No. 11, provided that the treated coal is kept separate and is not mixed with untreated coal. When a treatment charge is made pursuant to this section the dealer need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is treated.

(f) *Definitions.* When used in this appendix the following terms shall have the meanings set forth below:

(1) "Consumer" means any person, other than a farmer or dealer, who purchases coal for use and consumption and not for resale.

(2) "Delivered" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage

space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at the point nearest and most accessible to the buyer's bin or storage space.

(3) A "lot of 20 tons or more" shall mean an order of 20 tons or more the delivery of which can be accepted by the purchaser at one bin at one time.

(4) Except as otherwise provided herein or as the context may otherwise require, all terms used in this order shall bear the meaning given them in Revised Maximum Price Regulation No. 122 or the Emergency Price Control Act of 1942; if not therein defined, they shall be given their ordinary and popular trade meaning.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4631)

This Appendix No. 11 to Order No. G-16 shall be effective January 1, 1945.

Issued this 20th day of December 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-19610; Filed, Dec. 27, 1944; 1:24 p.m.]

[Region VII Order G-2 Under Supp. Order 94]

ARMY EMERGENCY SNOWSHOES IN DENVER REGION

Pursuant to the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and sections 11 and 13 of Supplementary Order 94, as amended, and for the reasons set forth in the accompanying opinion, this Order No. G-2 is issued.

(a) *What this order does.* This Order No. G-2 establishes the maximum price at the retail level for all sales to ultimate consumers or users of army emergency snowshoes, as hereinafter defined, when sold in Region VII.

(b) *Geographical applicability.* This Order No. G-2 shall apply only to retail sales made in this Region VII, which includes the States of New Mexico, Colorado, Wyoming, Montana, and Utah, and that part of Coconino and Mohave Counties in the State of Arizona lying north of the Colorado River, that part of the State of Idaho lying south of the southern boundary of Idaho County, and the County of Malheur in the State of Oregon.

(c) *Maximum retail price.* On and after the effective date hereof, the maximum price for which army emergency snowshoes may be sold at retail, f. o. b.

the seller's place of business, shall be \$1.45 per pair.

(d) *Definitions.* (1) "Army emergency snowshoes" means snowshoes 10½" in width and 21" in length, made according to army specifications, and which were formerly owned by the United States Government as military equipment but never used by its military forces, then sold by the Treasury Department, Procurement Division, Office of Surplus Property, and which when sold under this Order No. G-2 remain in the same unused condition they were in at the time they were sold by the government agency.

(2) "Sale at retail" means a sale by any person to any ultimate consumer or user.

(3) Except insofar as the same may be inconsistent with or contradictory of any of the terms and provisions of this Order No. G-2, the definitions set forth in section 17 of Supplementary Order 94 are by reference incorporated herein and made a part hereof.

(e) *Exempt sales.* The commodities covered by this Order No. G-2 are hereby expressly exempted from price control when sold by the Treasury Department, Procurement Division, Office of Surplus Property, or by any other seller at any level other than the retail level; that is to say, when sold to any person other than an ultimate consumer or user of said commodity.

(f) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

(g) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(h) *Effective date.* This Order No. G-2 shall become effective on the 15th day of December 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4631)

Issued this 15th day of December 1944.

JOSEPH W. PERFOLD,
Acting Regional Administrator.

[F. R. Doc. 44-19611; Filed, Dec. 27, 1944; 1:25 p.m.]

WAR PRODUCTION BOARD.

[C-238]

JAMES H. LASHER

CONSENT ORDER

James H. Lasher, Rodger Drive, R. D. #1, New Kensington, Pennsylvania, is the owner of a real estate development known as the "Clearview Plan", situated in Lower Burrell Township, Westmoreland County, Pa. He is charged by the War Production Board with having begun and carried on construction of single residences on five of his lots, at an estimated cost, in each case, of more than \$5,300; one having been started about August 1942 and the other four in March, 1943. This was without authori-

zation of the War Production Board, exceeding the limit of \$200 for new construction, in each case, and, therefore, in violation of Conservation Order L-41.

James H. Lasher admits the violation and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of James H. Lasher, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) Neither James H. Lasher, his successors or assigns, nor any other person, shall do any construction on the development owned by him, or any lot therein in Lower Burrell Township, Westmoreland County, Pa., including putting up or al-

tering any structure located on any said lot, unless hereafter specifically authorized in writing by the War Production Board or the Federal Housing Administration.

(b) Nothing contained in this order shall be deemed to relieve James H. Lasher, his successors or assigns, from any restrictions, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 27th day of December 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-19618; Filed, Dec. 27, 1944;
4:28 p. m.]